



BOARD OF TRUSTEES
November 12, 2025
6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

Regular Meeting Agenda

Individuals wishing to make public comments must attend the meeting in person or may submit comments by sending an email to hillha@wellingtoncolorado.gov. The email must be received by 4:00 p.m. on the day of the meeting. The comments will be provided to the Trustees and added as an addendum to the packet. Emailed comments will not be read during the meeting.

The Zoom information below is for online viewing and listening only.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/84871162393?pwd=UkVaaDE4RmhJaERnallEK1hvNHJ5Zz09>

Telephone Dial US: +1 720 707 2699 or +1 719 359 4580 or +1 669 444 9171

Webinar ID: 848 7116 2393

Passcode: 726078

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Amendments to Agenda
4. Conflict of Interest

B. COMMUNITY PARTICIPATION

1. Public Comment

C. PRESENTATION

1. Introduction - Liz Magargel, Business Development Manager

D. CONSENT AGENDA

1. October 28, 2025 Meeting Minutes
 - Presentation: Hannah Hill, Town Clerk

2. Resolution No. 45-2025 Authorizing the Temporary Closure of Portions of State Highway 1/Cleveland Avenue within the Town of Wellington During the Annual Parade of Lights Event on December 6, 2025

- Presentation: Caitlin Morris, Community and Business Liaison

3. Resolution No. 46-2025 Confirming and Establishing Fees to be Charged by the Town of Wellington Municipal Court

- Presentation: Hannah Hill, Town Clerk

E. ACTION ITEMS

1. Resolution No. 44-2025 Adopting Town of Wellington Financial Management Policies Effective January 1, 2026

- Presentation: Nic Redavid, Finance Director | Town Treasurer

2. Ordinance No. 14-2025 Amending Article 4 of Chapter 4 of the Wellington Municipal Code Regarding the Vendor's Fee for the Collection of Sales Tax

- Presentation: Nic Redavid, Finance Director | Town Treasurer

3. Resolution No. 47-2025 Establishing an Intergovernmental Agreement between Larimer County, Colorado and the Town of Wellington, Colorado Regarding Cooperation on Managing Urban Development

- Presentation: Cody Bird, Planning Director

4. Public Hearing and Second Reading on Ordinance No. 15-2025 Considering Adoption by Reference of the 2024 International Building Codes with Local Amendments, and Adoption of the Colorado Model Electric Ready and Solar Ready Code, and Adoption of the 2025 Colorado Wildfire Resiliency Code Version 1.0

- Presentation: Cody Bird, Planning Director and Kelly Dykstra, Building Official

5. Ordinance No. 15-2025 Considering Adoption by Reference of the 2024 International Building Codes with Local Amendments, and Adoption of the Colorado Model Electric Ready and Solar Ready Code, and Adoption of the 2025 Colorado Wildfire Resiliency Code Version 1.0

- Presentation: Cody Bird, Planning Director and Kelly Dykstra, Building Official

6. Resolution No. 48-2025 A Resolution by the Town of Wellington, Colorado Committing to Diversify and Secure the Town's Long-Term Water Supply

- Presentation: Meagan Smith, Deputy Director of Public Works

7. Resolution No. 49-2025 A Resolution by the Town of Wellington, Colorado Supporting the Northern Colorado Water Alliance and the Associated Northern Colorado Water Principles

- Presentation: Meagan Smith, Deputy Director of Public Works

F. REPORTS

1. Town Attorney
2. Town Administrator
3. Staff Communications
 - a. NOCO Humane - 3rd Quarter 2025 Service Report
4. Board Reports

G. ADJOURN

The Town of Wellington will make reasonable accommodations for access to Town services, programs, and activities and special communication arrangements. Individuals needing special accommodation may request assistance by contacting at Town Hall or at 970-568-3380 ext. 110 at least 24 hours in advance.



Board of Trustees Meeting

Date: November 12, 2025
Subject: October 28, 2025 Meeting Minutes

- **Presentation: Hannah Hill, Town Clerk**

EXECUTIVE SUMMARY

Attached are the October 28, 2025 Board of Trustees Meeting minutes.

BACKGROUND / DISCUSSION

N/A

CONNECTION WITH ADOPTED MASTER PLANS

N/A

FISCAL IMPLICATIONS

N/A

STAFF RECOMMENDATION

Staff recommends approval on the consent agenda.

MOTION RECOMMENDATION

Option 1) Move to approve the Consent Agenda

Option 2) Move to approve the October 28, 2025 Meeting Minutes

ATTACHMENTS

1. 10-28-2025 Meeting Minutes



BOARD OF TRUSTEES
October 28, 2025
6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

Regular Meeting Minutes

A. CALL TO ORDER

1. Pledge of Allegiance
Mayor Chaussee called the meeting to order at 6:30 p.m.
2. Roll Call
The Clerk noted quorum with the following roll call:
Wiegand - Present
Cannon - Present
Dailey – Present
Moyer - Absent
Tietz - Present
Mason - Present
Chaussee - Present
3. Amendments to Agenda
Mayor Chaussee asked if there were any amendments to the agenda. Trustee Cannon requested to move item C.1 to section E.
4. Conflict of Interest
Mayor Chaussee asked if there were any conflicts of interest, to which there were none.

B. COMMUNITY PARTICIPATION

1. Public Comment
There was no public comment.

C. PRESENTATION

1. Town of Wellington FY2026 Budget Development Process Update

This item was moved to section E. on the agenda, presented as item E.7.
2. Wellington Colorado Main Street Program: 3rd Quarter 2025 Report

Ms. Garcia presented the 3rd quarter report, noting focus areas and achievements including Main Street Markets, the Shop Local Campaign and volunteer engagement. Looking ahead to Quarter 4 would be looking at recruitment of Board and Committee members, finalization of Economic Vitality Plan and laying other groundwork for 2026.

D. CONSENT AGENDA

1. October 14, 2025 Meeting Minutes
2. Resolution No. 41-2025 Amending the Town's Policy Regarding the Colorado Open Records Act
3. Resolution No. 44-2025 - Authorizing the Town Treasurer to Enter Into an Agreement for Portable Toilet Services for Municipal Parks and Facilities

Mayor Pro Tem Mason moved to approve the consent agenda.

Trustee Wiegand seconded, and the motion passed.

E. ACTION ITEMS

1. Public Hearing on Land Use Code Amendments for Electric Vehicle (EV) Charging Permit Requirements in accordance with HB24-1173

Cody Bird, Planning Director, reviewed the public hearing procedures, and noted recommendations that address the requirements of HB24-1173. They incorporate appropriate elements of the Colorado Energy Office's Model Code but are tailored for Wellington's specific circumstances.

Mayor Chaussee opened the public hearing for public comment to which there was none.

2. Ordinance No. 12-2025 Adopting Amendments to Chapter 15 of the Municipal Code to Address Electric Vehicle (EV) Charging Permit Review Requirements in Accordance with HB24-1173

Mr. Bird noted the previous presentation and offered to answer any questions the Board may have.

The Board noted appreciation for receiving the information at an earlier meeting with time to review.

Trustee Cannon moved to approve Ordinance No. 12-2025 Adopting Amendments to Chapter 15 of the Municipal Code to Address Electric Vehicle (EV) Charging Permit Review Requirements in Accordance with HB24-1173

Trustee Tietz seconded, and the motion passed.

3. Public Hearing on Land Use Code Amendments for Prohibition of Certain Landscaping Practices in Accordance with SB24-005 and HB25-1113

Mr. Bird spoke to the public hearing process and the new legislation requiring landscaping practices to be updated, referring to the previous information presentation to the Board.

Mayor Chaussee opened the public hearing for public comment to which there was none.

4. Ordinance No. 13-2025 Adopting Amendments to Chapter 15 of the Municipal Code to Prohibit Certain Landscaping Practices in Accordance with SB24-005 and HB25-1113

Mr. Bird noted the previous presentation and the Board expressed appreciation for receiving the information presentation prior. Clarification regarding if residents would be required to apply for a permit was asked. Mr. Bird noted it would not be an additional requirement, as the permit is included in other avenues.

Mayor Pro Tem Mason moved to approve Ordinance No. 13-2025 Adopting Amendments to Chapter 15 of the Municipal Code to Prohibit Certain Landscaping Practices in Accordance with SB24-005 and HB25-1113

Trustee Dailey seconded and the motion passed.

5. Resolution No. 42-2025 - A Resolution Approving Interim Town Attorney Services

Calar Chaussee, Mayor, presented the resolution noting the resignation of Dan Sopeniza, Town Attorney.

Matthew Gould introduced himself, noting several municipalities being represented by his firm, noting a diverse array of clients, all statutory towns. Jed Scott also introduced himself, referring to previous experience with municipal work.

Mayor Chaussee opened the item for public comment to which there was none.

The Board asked if the firm has experience with Home Rule, which Mr. Gould noted the firm does.

Trustee Cannon moved to approve Resolution No. 42-2025, A Resolution Approving Interim Town Attorney Services

Trustee Tietz seconded, and the motion passed.

6. Resolution No. 43-2025 - A Resolution Appointing a Liaison to the Wellington Housing Authority

Ms. Garcia noted the liaison appointment to the Wellington Housing Authority after the April 2024 election. Due to work schedules and meeting conflicts, it has been requested to replace the liaison to the Wellington Housing Authority, as a voting liaison.

Mayor Chaussee opened the public hearing for public comment to which there was none.

The Board noted appreciation for the appointment and ability for this appointment to continue the liaison with Trustee Dailey for continuation.

Mayor Pro Tem Mason moved to approve Resolution No. 43-2025, a Resolution Appointing a Liaison to the Wellington Housing Authority

Trustee Tietz seconded, and the motion passed.

7. Town of Wellington FY2026 Budget Development Process Update

This item was moved from section C. of the agenda.

Ms. Garcia expressed appreciation for the work staff has done. Nic Redavid, Finance Director and Town Treasurer, reviewed the timeline of the 2026 budget requests. Staff requested the direction of the board for identified updates. The Board expressed agreement for expenditure updates presented.

Mr. Redavid reviewed batting cage costs and requested direction from the Board to keep or remove the \$11,000 for maintenance and operations for the batting cages. The majority of the Board expressed desire to keep the batting cages, with notes from Parks, Recreation, Open Space and Trails noting that input from the community would be desired, but asked that additional costs related to the running of the batting cages should be considered.

Board Discretionary Funds were discussed, related to Community Grants, the Hardship Utility Grant and the Cleveland Avenue Business Support. The majority of the Board noted the below:

- Agreement to Board Discretionary Fund name
- Agreement to lowering the total fund amount
- Agreement to keep the Hardship Utility Grant, and discussion centered around the amount needed to be in the fund
- Agreement to keeping the Cleveland Avenue Business Support, with requesting to put the reduction from the Discretionary Fund account in this account.

Home Rule consideration as a budget request was discussed, with the majority of the Board expressing desire to see the full project in 2026

The Board spoke to strategic land acquisition and funding, including trail connectivity.

F. REPORTS

1. Town Attorney

Dan Sopeniza, Town Attorney, expressed appreciation to the Board and noted he would be available for questions.

2. Town Administrator

Ms. Garcia requested direction for next steps after the interim Town Attorney being appointed, such as an RFP. The majority of the Board expressed agreement that staff begin working on an RFP for a Town Attorney, with this coming to the Board during an upcoming meeting.

Ms. Garcia noted different timelines of Home Rule with expectations to come back to the Board in a future meeting.

A food drive has been opened with staff and Town Hall is a location for drop off.

3. Staff Communications

Items were included in the packet.

a. Larimer County Sheriff's Office Report (September 2025)

b. Utilities Report (September 2025)

c. BoT Planning Calendar

d. Treasurer's Report (August 2025)

e. Report of Bills (August 2025)

4. Board Reports

Trustee Tietz noted the generalized idea that families in the community are impacted by items going on at the federal level. The possibility of providing the Board Discretionary Funds to the

Community Center for purchase of foods was brought up. Ms. Garcia noted that the Food Bank would more than likely qualify, however an application would need to be submitted. The Board expressed agreement about this. Appreciation was expressed for work on the budget.

Mayor Pro Tem expressed appreciation for staff's work on the budget. It was noted the Wellington Middle High School are Football Conference Champions.

Trustee Dailey noted the upcoming Stroll and Roll, and the Parks and Recreation's Movie in the Park was noted as being well received. An invitation to the Main Streets Annual Dinner and the Stuff the Truck Turkey donation was noted. The Food Bank had their annual gala, where over \$73,000 was raised for the Community Services Center.

Mayor Chaussee spoke to the Halloween Wars at the Town Hall and Library, with Parks and Recreation winning. Appreciation was also expressed to Mr. Sopeniza for his work with the Town.

G. ADJOURN

Mayor Chaussee adjourned the meeting at 8:44 p.m.

Calar Chaussee, Mayor

Hannah Hill, Town Clerk



Board of Trustees Meeting

Date: November 12, 2025

Subject: Resolution No. 45-2025 Authorizing the Temporary Closure of Portions of State Highway 1/Cleveland Avenue within the Town of Wellington During the Annual Parade of Lights Event on December 6, 2025

- **Presentation:** Caitlin Morris, Community and Business Liaison

EXECUTIVE SUMMARY

The Town of Wellington hosts an annual holiday parade referred to as the “Parade of Lights”. This event brings our community together to celebrate the holiday season with music, treats, and a parade of floats made by members of the community. These road closures will provide protection for the large attendance of pedestrians that line the streets of Cleveland Avenue the night of the parade.

BACKGROUND / DISCUSSION

The following streets are proposed to be closed to traffic, except for residents and/or business owners of these streets at the time specified:

State Highway 1 at West First Street east to First Street from 2:30-7:00 pm

Cleveland Avenue from First Street to 5th Street from 2:30-7:00 pm

First Street from Cleveland Avenue to Kennedy Avenue from 2:30-7:00 pm

CONNECTION WITH ADOPTED MASTER PLANS

The Parade of Lights directly supports the Town’s Comprehensive Plan and 2025 Strategic Plan by fostering a vibrant and welcoming downtown core, encouraging walkability, and creating family-friendly opportunities for community gathering. The event aligns with the strategic goals of “fostering economic vibrancy” and “cultivating and nurturing community spaces” by driving foot traffic to local businesses and strengthening residents’ sense of place.

FISCAL IMPLICATIONS

N/A

STAFF RECOMMENDATION

Staff recommends approval of the resolution.

MOTION RECOMMENDATION

Move to approve Resolution No. 45-2025 - Authorizing the Temporary Closure of Portions of State Highway 1/Cleveland Avenue within the Town of Wellington During the Annual Parade of Lights Event on December 6, 2025

ATTACHMENTS

1. Resolution No. 45-2025 Authorizing the Temporary Closure of Streets for the Annual Parade of Lights
2. 2025 Hoilday Parade Traffic Control Map

TOWN OF WELLINGTON

RESOLUTION NO. 25-2025

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF
STATE HIGHWAY 1/CLEVELAND AVENUE WITHIN THE TOWN OF WELLINGTON
DURING THE ANNUAL PARADE OF LIGHTS EVENT ON DECEMBER 6, 2025

WHEREAS, the Town of Wellington, are conducting the holiday “Parade of Lights” for the residents of Wellington on Saturday, December 6, 2025; and

WHEREAS, it is necessary to temporarily close a portion of State Highway 1 and Cleveland Avenue within the Town of Wellington to traffic on December 6, 2025 for the holiday parade; and

WHEREAS, said temporary closures are permitted by C.R.S. 42-4-106 and Section 106(6)(b) of the Colorado Model Traffic Code.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Town of Wellington, Colorado as follows:

Section I. The following streets are to be closed on December 6, 2025 to automobile traffic, except for residents and/or business owners of these streets at the time specified: Cleveland Avenue from First Street to Fifth Street, Fifth Street from Cleveland to Roosevelt and First Street from Cleveland to Kennedy Avenue from 2:30 p.m. to 7:00 p.m.

Section 2. Cleveland Avenue traffic during the time of closure will be rerouted on State Highway 1 at Jefferson Street East to Sixth Street and North to Cleveland or Cleveland Avenue at Sixth Street South to Jefferson Street and West on Jefferson Street to State Highway 1.

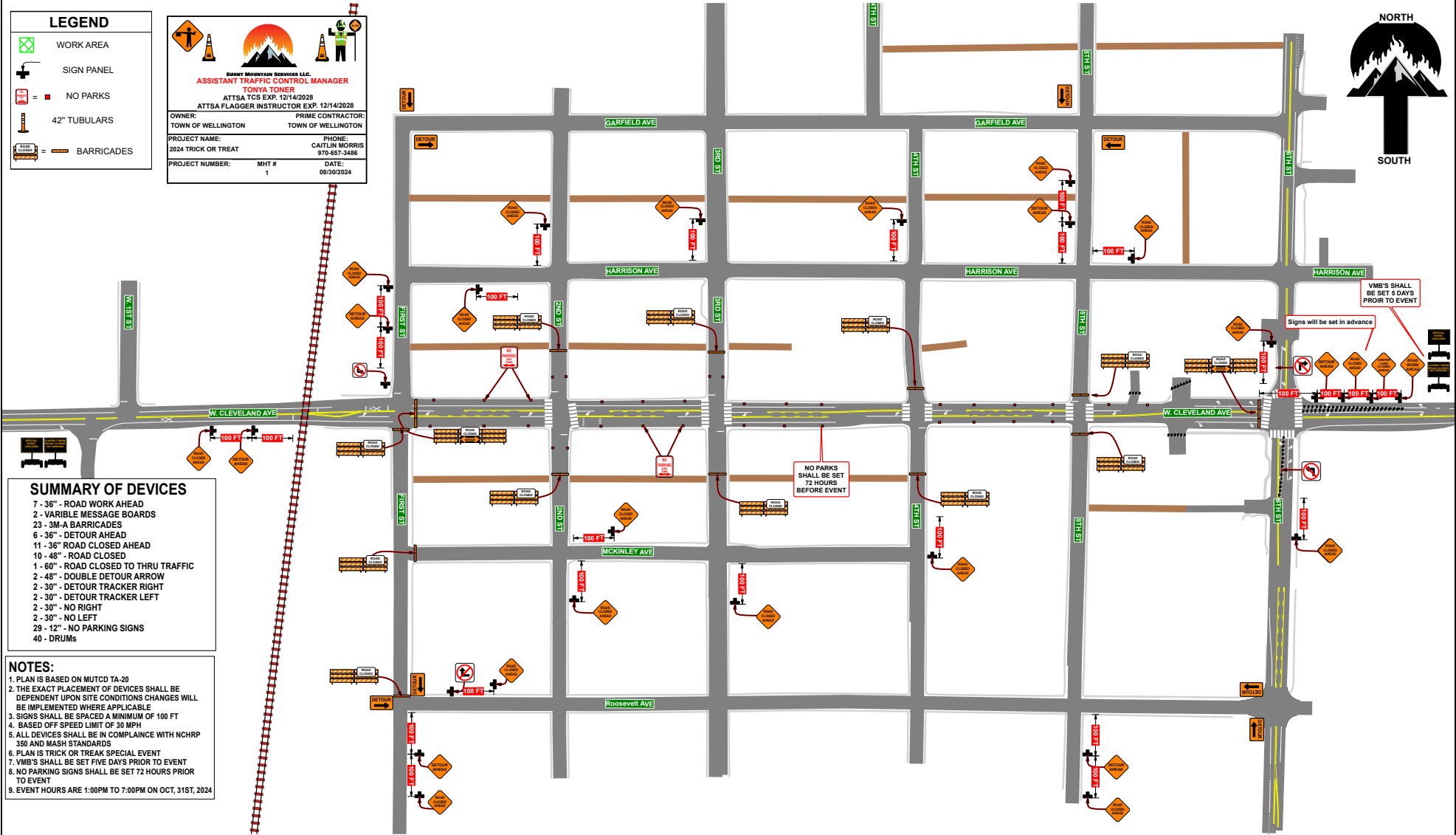
Upon a motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of November, 2025.

TOWN OF WELLINGTON, COLORADO

By: _____
Calar Chaussee, Mayor

ATTEST:

Hannah Hill, Town Clerk



Board of Trustees Meeting

Date: November 12, 2025

Subject: Resolution No. 46-2025 Confirming and Establishing Fees to be Charged by the Town of Wellington Municipal Court

- **Presentation: Hannah Hill, Town Clerk**

EXECUTIVE SUMMARY

Wellington Municipal Code Section 2-4-190 speaks to the fines and fees Municipal Court may charge. The Municipal Judge may assess costs, but the court costs and jury fees are to be established by resolution of the Board of Trustees. The last time fees were brought before the Board of Trustees was in 2019, shown in the attached Resolution No. 31-2019.

BACKGROUND / DISCUSSION

As part of updating Municipal Court processes and procedures, staff and the Municipal Judge reviewed the current fees. The Municipal Judge requests the changes below:

- Increase Court Costs to \$20, from \$18. This is consistent with other municipalities, and provides a round number for defendants and staff during payment.
- Indicate the surcharge fee of \$20, which is mandatory.
- Jury fee increase to \$30, increased from \$25
- Payment plan fee \$25, increased from \$10
- Deferred Sentence or Prosecution fee increased to \$50, from \$35.
- Several administrative clean-up items were completed, for fees no longer applicable or to aligning with Municipal Code.

Upon approval by the Board of Trustees, the schedule will be approved by and effective after signature of the Municipal Judge.

CONNECTION WITH ADOPTED MASTER PLANS

Ensure Strong Town Operations

FISCAL IMPLICATIONS

There may be an increase in Court revenues with the increase in fees, however other factors may impact anticipated revenue, such as number of citations issued and any fees waived by the Municipal Judge.

STAFF RECOMMENDATION

On behalf of the Municipal Judge, staff recommends approval of the resolution on the consent agenda.

MOTION RECOMMENDATION

Option 1) Move to Approve the Consent Agenda

Option 2) Move to Approve Resolution No. 46-2025 Confirming and Establishing Fees to be Charged by the Town of Wellington Municipal Court



ATTACHMENTS

1. Resolution No 46-2025 Confirming and Establishing Municipal Court Fees
2. Proposed Fine and fee schedule revised 2026
3. Resolution 31-2019 - Establishing Court Fees

TOWN OF WELLINGTON

RESOLUTION NO. 46-2025

A RESOLUTION BY THE TOWN OF WELLINGTON, COLORADO CONFIRMING AND ESTABLISHING FEES TO BE CHARGED BY THE WELLINGTON MUNICIPAL COURT

WHEREAS, the Wellington Town Code provides that the Board of Trustees of the Town of Wellington shall set fees for various services provided by the Town by resolution; and

WHEREAS, previous resolutions and the previous Town Code had established fees; and

WHEREAS, the Wellington Municipal Court has assessed charges in the nature of fees to municipal court defendants; and

WHEREAS, pursuant to Sec. 2-4-110(a) In addition to other powers, the Municipal Judge shall have full power and authority to make and adopt rules and regulations for conducting the business of the Municipal Court under the procedures consistent with the Municipal Court Rules of Procedure promulgated by the Colorado Supreme Court and Title 13, C.R.S.; and

WHEREAS, Municipal Court fees have been increased since 2019 by Resolution No. 31-2019; and

WHEREAS, the Municipal Judge has requested Municipal Fees be reviewed.

NOW, THEREFORE, be it resolved that the Town Board of Trustees of the Town of Wellington, Colorado, that Section B. as set forth in the Town's Municipal Court Order Establishing and Continuing Violations Bureau and Schedule of Fines, Costs, Surcharges, Fees and Bonds be amended to read as follows:

B. Costs, surcharges, and fees: In addition to fines set forth in this schedule for any violation, the Court may assess the following costs, surcharges and fees:

Court costs upon plea of guilty or no contest	\$20
Surcharge for traffic and code	\$20
Payment Plan fee (not paid in full by due date, imposed at due date)	\$20
Deferred Judgment and Sentence and Deferred Prosecution fee	\$50
Active Condition fee for cases with classes, UPS, and other conditions of any sentence that has not been deferred.	\$25
Default Judgement fee	\$30
Bench/Arrest Warrant fee	\$50

Fail to Appear/Fail to Comply fee	\$25
Jury Request fee	\$30
Sealing Records fee	\$65
Trial to Court Transcript*	\$125 minimum deposit
Jury Trial Transcript*	\$200 minimum deposit
Copies of recordings (per CD or audio file)	\$30
Certified copy of any Municipal Court Criminal Justice Records (police reports and criminal history/DL information excluded)	\$15
Municipal Court Criminal Justice Records request under CRS § 24-72-301 et seq. (police reports and criminal history/DL information excluded).	\$10 includes search, retrieval and copy or download of up to 10 pages of records, .10 per page thereafter.
Municipal Court Criminal Justice Records requests- Special Searches or redacted records	Any search and retrieval requiring more than 15 minutes- \$45 dollars an hour with deposit for estimated amount to be paid prior to search
*(per page state rate CJD 2005-3 as updated from time to time)	

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of November, 2025.

TOWN OF WELLINGTON, COLORADO

By: _____
Calar Chaussee, Mayor

ATTEST:

Hannah Hill, Town Clerk

MUNICIPAL COURT, TOWN OF WELLINGTON, STATE OF COLORADO

ORDER ESTABLISHING AND CONTINUING VIOLATIONS BUREAU AND SCHEDULE OF FINES, COSTS, SURCHARGES, FEES, AND BONDS

This Schedule of Fines, Costs, Surcharges, Fees and Bonds is authorized and published by this Court Order pursuant to Colorado Municipal Court Rule 210(b)(1)-(5) and shall be prominently posted in the Wellington Town Hall as required by said Rule. Pursuant to C.R.S. §13-10-113(1), the Wellington Municipal Court is a court of record and for general offenses committed by an adult, the maximum penalty that could be imposed by the Court upon conviction for a misdemeanor offense is 364 days in jail, a fine of \$2,650, or both on each charge.

Unless prohibited by this order, Wellington Law Enforcement is authorized to issue penalty assessment notices for violations of the Model Traffic Code and ordinances contained in the Wellington Municipal Code, adopted and as amended time to time by the Town Board, and the Court Clerk, or other such persons designated by the court are authorized to accept payment for such assessments according to this schedule of fines in lieu of court appearance. Except when a mandatory court appearance is required, any person charged with a violation listed in this schedule may pay the designated fine and surcharge for the charged violation prior to the date set for the first appearance.

A. Penalty assessments: A person may pay, at Wellington Town Hall or as designated by the Wellington Municipal Court, the fine and surcharge for specific violations as shown below in Section D and E prior to the date of their scheduled first court appearance. However, the following violations may NOT be paid early without court appearance:

- a. A violation that results in personal injury, death or appreciable property damage;
- b. The violator is charged with a misdemeanor AND is under 18 years of age;
- c. The provisions of the Model Traffic code prohibit the issuance of a penalty assessment notice; or
- d. In the law enforcement officer's discretion, the violation is aggravated or habitual.

B. Costs, surcharges, and fees: In addition to fines set forth in this schedule for any violation, the Court may assess the following costs, surcharges and fees:

Court costs upon plea of guilty or no contest	\$20
Surcharge for traffic and code	\$20
Payment Plan fee (not paid in full by due date, imposed at due date)	\$20
Deferred Judgment and Sentence and Deferred Prosecution fee	\$50
Active Condition fee for cases with classes, UPS, and other conditions of any sentence that has not been deferred.	\$25
Default Judgement fee	\$30
Bench/Arrest Warrant fee	\$50
Fail to Appear/Fail to Comply fee	\$25

Jury Request fee	\$30
Sealing Records fee	\$65
Trial to Court Transcript*	\$125 minimum deposit
Jury Trial Transcript*	\$200 minimum deposit
Copies of recordings (per CD or audio file)	\$30
Certified copy of any Municipal Court Criminal Justice Records (police reports and criminal history/DL information excluded)	\$15
Municipal Court Criminal Justice Records request under CRS § 24-72-301 et seq. (police reports and criminal history/DL information excluded).	\$10 includes search, retrieval and copy or download of up to 10 pages of records, .10 per page thereafter.
Municipal Court Criminal Justice Records requests- Special Searches or redacted records	Any search and retrieval requiring more than 15 minutes-\$45 dollars an hour with deposit for estimated amount to be paid prior to search
*(per page state rate CJD 2005-3 as updated from time to time)	

C. Bonding instructions: If an arresting officer, pursuant to CRS § 42-4-1701 (5) and (6), has reasonable grounds to believe that a Defendant will disregard a written promise to pay or appear, the officer may require the posting of a personal recognizance bond in the amount of the fine listed on this schedule.

D. Schedule of Fines - Ordinance violations (only if 1st offense in 2 years): *The fine schedule below is presumptive and has no impact on the sentencing discretion of the Court within the limits of the Wellington Municipal Code to consider mitigating and aggravating circumstances in individual cases when offenders appear in court on their case.*

WMC §	Description	Fine amount
7-4-160	Animal at large	\$75
7-4-310	Unlicensed Animal / no tags as required	\$25
7-4-660	Animal Defecation	\$50
7-4-630	Noisy Animals	\$75
8-4-20	Parking Restrictions trailers, semi-trailers etc. 1 ^s	\$50
10-5-80	Littering	\$150
10-8-60	Open Container 1 st offense	\$75
10-6-50	Throwing Missiles at vehicles	\$150
10-10-10	Unreasonable Noise	\$150
10-6-180	Fireworks	\$500

E. Schedule of Fines - Model Traffic Code violations: *The fine schedule below is presumptive and has no impact on the sentencing discretion of the Court within the limits of the Wellington Municipal Code to consider mitigating and aggravating circumstances of individual cases.*

a. Except as otherwise indicated in section b. below, the fines for point violations issued as a penalty assessment shall be as follows:

0 point - \$50 + surcharge
 1 point - \$80 + surcharge
 2 point - \$100 + surcharge
 3 point - \$120 + surcharge

4 point - \$150 + surcharge
 5 point - \$250 + surcharge
 6 point (20-24 mph over)- \$300 + surcharge

b. Fine Schedule for exceptions to above:

MTC §	Description	Fine
107	Obedience to police officer	\$150 + surcharge
236	Child restraints	\$100 + surcharge
225(1)	Inadequate muffler (non-CMV)	\$100 + surcharge
225(1.5)	Inadequate brake muffler	\$500 + surcharge
235	Minimum safety standards	\$100 + surcharge
239	Misuse of wireless devices-1 st offense only	\$100 + surcharge
507 and 508	Overweight vehicles	
	1-2500 pounds overweight	\$100 + surcharge
	2501-5000 pounds overweight	\$200 + surcharge
	5001 – 7500 pounds overweight	\$400 + surcharge
	7501-10,000 pounds overweight	\$800 + surcharge
	Over 10,000 pounds overweight	\$800 plus \$300 for each 1000 pounds overweight up to a maximum of \$2650 + surcharge
509(3)	Failure to stop and weigh	\$300 + surcharge
607(1)	Interference with official devices	\$100 + surcharge
607(2)	Sell/possess electronic device to change traffic control device	\$500 + surcharge
1101	Speeding in school, safety, or construction zone	Fine 2x + surcharge
1204 and 1205	Parking violations	\$50 + surcharge
1208	Handicap parking -1 st offense	\$350 + surcharge
1404	Crossing fire hose	\$300 + surcharge
1406	Throwing matter on highway	\$300 + surcharge
1407(2)	Uncovered loads - no damage only	\$100 + surcharge
1407(3)	Spilling loads	\$300 + surcharge

Signed and effective *****

Teresa Ablao, Municipal Court Judge

RESOLUTION NO.31-2019

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WELLINGTON, COLORADO,
CONFIRMAING AND ESTABLISHING FEES TO BE CHARGED BY THE TOWN BY THE
WELLINGTON MUNICIPAL COURT**

WHEREAS, the Wellington Town Code provides that the Board of Trustees of the Town of Wellington shall set fees for various services provided by the Town by resolution; and

WHEREAS, previous resolutions and the previous Town Code had established fees; and

WHEREAS, the Wellington Municipal Court has assessed charges in the nature of fees to municipal court defendants.

WHEREAS, pursuant to Sec. 2-4-110(a) In addition to other powers, the Municipal Judge shall have full power and authority to make and adopt rules and regulations for conducting the business of the Municipal Court under the procedures consistent with the Municipal Court Rules of Procedure promulgated by the Colorado Supreme Court and Title 13, C.R.S.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of Trustees of the Town of Wellington, Colorado, that Section 3 C. as set forth in the Town's Court Fee schedule is amended to read as follows:

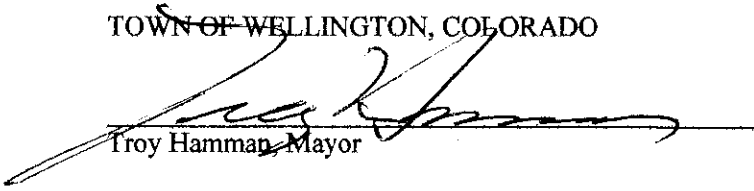
Section 3: Miscellaneous.

C.	Court Costs and Fees (Code 2-4-190)	
(1)	Upon entry of guilty plea or finding of guilty	\$ 18.00
(2)	Warrant fee	\$ 50.00
(3)	Show Cause Order fee	\$ 25.00
(4)	Outstanding Judgment Warrant Fee	\$ 30.00
(5)	Deferred Sentence/Prosecution Fee	\$ 35.00
(6)	default judgement fee	\$ 25.00
(7)	payment plan fee \$10 (one time charge if not paid within 8 days of court appearance)	
(8)	jury fee-forfeited if jury actually summoned (refunded if found not guilty) (§13-10-114(4) C.R.S.)	\$ 25.00
(9)	seal records request	\$ 65.00
(10)	Trial to Court Transcript*	\$125 minimum deposit
(11)	Jury Trial Transcript*	\$200 minimum deposit
(12)	Copies of recordings (per CD or audio file)	\$ 35.00
(13)	Certified copy of any Municipal Court Criminal Justice Record	\$ 15.00
(14)	Municipal Court Criminal Justice Records Act requests, includes search, retrieval and copy/download of up to 10 pages of records, .10 per page thereafter. Any search and retrieval requiring more than 15 minutes- \$45 dollars an hour with deposit for estimated amount to be paid prior to search.	\$ 10.00

*(per page state rate CJD 2005-3 as updated from time to time)

PASSED AND ADOPTED AT A REGULAR MEETING OF THE TOWN BOARD OF THE
TOWN OF WELLINGTON, COLORADO, THIS 24th DAY OF SEPTEMBER, 2019.

TOWN OF WELLINGTON, COLORADO


Troy Hamman, Mayor

ATTEST:


Ed Cannon, Town Administrator/Clerk

Board of Trustees Meeting

Date: November 12, 2025

Subject: Resolution No. 44-2025 Adopting Town of Wellington Financial Management Policies Effective January 1, 2026

- **Presentation: Nic Redavid, Finance Director | Town Treasurer**

EXECUTIVE SUMMARY

Town of Wellington Financial Management Policies Effective January 1, 2026, considered for adoption, superseding any previously adopted fiscal management policy, and applicable to all officials, employees, and agents of the Town.

BACKGROUND / DISCUSSION

Over the past several months, Staff has been gathering requests, input, and feedback in reviewing and updating of the Town's policies related to fiscal management. There are currently three policies in effect:

- Purchasing Policy (Most Recent Update - August 23, 2022)
- Fund Balance Policy (December 13, 2022)
- Financial Policies 2023 (Approved March 28, 2023)

The new Town of Wellington Financial Management Policies have been developed as a comprehensive resource that aligns financial practices with the Board of Trustees' guiding principle for fiscal responsibility, the Strategic Plan's direction to ensure strong town operations, and Government Finance Officers Association (GFOA) best practices.

The first draft of the Town of Wellington Financial Management Policies was presented to the Finance Advisory Board at their July 28, 2025, meeting. An updated draft was shared with the Board of Trustees at their September 30, 2025, special work session. Direction from the Board was received, and the following updates have been made to the Town of Wellington Financial Management Policies:

- The General Fund Debt Limit was defined as annual debt service lower than 8% to 10% of general expenditure
- Capital Improvement Projects (CIP) defined as costing more than \$25,000 and an expected life of greater than three years
- Added definition of Successor; identified successors for Mayor and Town Administrator
- Clarified Appendix A may be updated as needed by consent agenda item at Board of Trustees meetings

CONNECTION WITH ADOPTED MASTER PLANS

Ensure Strong Town Operations

FISCAL IMPLICATIONS

N/A



STAFF RECOMMENDATION

Staff recommends adoption of Resolution No. 44-2025 — A Resolution of the Town of Wellington, Colorado Adopting Town of Wellington Financial Management Policies Effective January 1, 2026, as presented.

MOTION RECOMMENDATION

I move to adopt Resolution No. 44-2025 — A Resolution of the Town of Wellington, Colorado Adopting Town of Wellington Financial Management Policies Effective January 1, 2026.

ATTACHMENTS

1. Resolution No. 44-2025
2. EXHIBIT A - Town of Wellington Financial Management Policies

TOWN OF WELLINGTON

RESOLUTION NO. 44-2025

A RESOLUTION BY THE TOWN OF WELLINGTON, COLORADO ADOPTING TOWN OF WELLINGTON FINANCIAL MANAGEMENT POLICIES EFFECTIVE JANUARY 1, 2026

WHEREAS, the Board of Trustees recognizes sound financial management is essential to maintaining the fiscal health and sustainability of the Town; and

WHEREAS, comprehensive financial management policies promote transparency, accountability, and public trust in the stewardship of public funds; and

WHEREAS, the Government Finance Officers Association (GFOA) recommends the adoption of financial management policies that are monitored, reviewed, and updated as needed in a systematic way.; and

WHEREAS, the adoption of the financial management policies aligns financial practices with the Board of Trustees' guiding principles and strategic goals.

NOW, THEREFORE, be it resolved by the Board of Trustees for the Town of Wellington, Colorado, as follows:

1. The policies set forth in the Town of Wellington Financial Management Policies, attached hereto as EXHIBIT A, are adopted, implemented, and applicable to all Town of Wellington officials, employees, and agents.
2. The policies set forth in the attached EXHIBIT A will become effective on January 1, 2026.
3. This resolution and the attached EXHIBIT A shall supersede and replace any previously adopted fiscal management policy of the Town of Wellington on the effective date.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of November, 2025.

TOWN OF WELLINGTON, COLORADO

By: _____
Calar Chaussee, Mayor

ATTEST:

Hannah Hill, Town Clerk



Town of Wellington Financial Management Policies

**Effective: January 1, 2026
Adopted: November 12, 2025**

Supersedes: Financial Policies (March 28, 2023), Fund Balance Policy
(December 13, 2022), Purchasing Policy (August 23, 2022)

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Introduction

The Town of Wellington's Financial Management Policies serve as a comprehensive resource for Town staff, consolidating all fiscal management policies into a single, accessible document. These policies are essential to maintaining the Town's fiscal health, ensuring consistency in financial decision-making, and upholding accountability to the community. They provide a strategic framework to guide both day-to-day operations and long-term financial planning, helping staff manage public funds responsibly and efficiently.

Importance. As stewards of public resources, Town staff play a critical role in ensuring that municipal funds are used wisely to sustain essential services, public facilities, and infrastructure that meet both current and future community needs. These policies establish clear guidelines to:

- Define boundaries. Financial policies define limits on the actions staff may take. The policy framework provides the boundaries within which staff can operate.
- Promote transparency and accountability in fiscal management.
- Ensure compliance with regulatory requirements, including the annual audit and state and federal grant funding requirements.
- Support effective financial planning and internal controls that safeguard public funds.
- Align financial practices with best practices and industry standards, as recommended by the Government Finance Officers Association (GFOA).

Adopted by resolution of the Board of Trustees, these financial policies provide a foundation for sound fiscal management.

Updates. These policies will be evaluated annually. Revisions and updates will be made periodically, as needed and at least every three years, and require adoption by resolution of the Board of Trustees.

Distribution. These policies will be available on the Town's website at www.WellingtonColorado.gov.

Auditing and Financial Reporting

Purpose. This section establishes the Town of Wellington's commitment to transparency, accountability, and compliance in its financial operations through structured reporting and oversight practices. It outlines requirements for annual independent audits, adherence to accounting standards, and regular financial reporting to leadership. These policies ensure that financial information is accurate, timely, and in compliance with state law, while supporting informed decision-making and responsible fiscal management at both the department and Town-wide level.

Independent Audit. An independent firm of certified public accountants will annually perform a financial and compliance audit of the Town's financial statements as required by state statute (C.R.S. 29-1-603). The completed audit must be submitted to the Office of the State Auditor annually. (C.R.S. 29-1-601).

The Town shall strive to enter into agreements with its auditors that permit the Town to extend the contract annually, to reduce the need to seek out a new auditor each year. The Government Finance Officers Association (GFOA) recommends that governmental entities should enter into agreements for at least five years when obtaining the services of independent auditors. Such agreements allow for greater continuity and help to minimize the potential for disruption in connection with the independent audit. Due to legal prohibitions on multiyear commitments, a series of one-year commitments with rights to renew can attain a similar effect.

Accounting Information System. The Town's accounting system shall be maintained in conformance with Generally Accepted Accounting Principles (GAAP) established by the Governmental Accounting Standards Board (GASB).

Financial Statements. The Finance Department will produce monthly financial statements for presentation to and review by the Board of Trustees. Additional financial statements may be produced and presented to the Board, as deemed appropriate by the Finance Director.

Financial Monitoring. Each Town department is responsible for reviewing financial statements provided by the Finance Department and managing its resources to ensure that the department's appropriations are not overspent and that all expenditures are in conformity with Town, state and federal ordinances, statutes, policies and regulations.

Basis of Budgeting. Basis of budgeting refers to the methodology used to include revenues and expenditures in the budget. The Town of Wellington primarily budgets on a cash basis. Using this assumption, the current year revenues are compared to expenditures to ensure that each fund has sufficient revenues to cover expenditures during

the budget year, or that there are sufficient cash reserves in the fund to cover any anticipated revenue shortfall.

Basis of Accounting. Basis of accounting refers to the point at which revenues or expenditures are recognized in the accounts and reported in the financial statements. The governmentwide and enterprise fund financial statements are reported using the economic resource measurement focus and the accrual basis of accounting. Under the accrual basis of accounting, revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of when the cash is received. Governmental fund financial statements are reported using current financial resources measurement focus and the modified accrual basis of accounting. Under modified accrual basis of accounting, revenues are recognized as soon as they become both measurable and available, and expenditures are recorded in the periods that the expenditure occurs and becomes a liability.

Fund Structure.

The Town of Wellington has (8) eight funds, each serving a unique purpose as described below.

Fund Type	Purpose of Fund	Services Provided	
General Fund	The main operating fund for the Town. It accounts for discretionary resources used for activities, programs, and services deemed necessary by the community. Major revenue sources include sales tax, property tax, use tax, and various fees.	- Administration - Administrative Facilities - Board of Trustees - Building & Planning - Cemetery - Economic Development - Finance - Human Resources	- Information Technology - Larimer County Sheriff's Office - Library - Municipal Court - Public Work Administration - Town Clerk
Enterprise Funds	These are self-supporting operations run similarly to private businesses. They finance services primarily through user charges.	- Water - Sewer - Drainage	
Special Revenue Funds	These funds support activities financed by taxes or revenues that must be spent on specific programs. Some fees may also support these funds, though they are not the primary source.	- Streets - Parks - Conservation Trust - Library Trust	

Fund Balance

Purpose. The Town of Wellington hereby establishes and will maintain reservations of fund balance as defined herein in accordance with Governmental Accounting Standards Board Statement No. 54 Fund Balance Reporting.

The Board recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the Town and is fiscally advantageous for both the Town and the taxpayer. This policy establishes goals and provides guidance concerning the desired level of fund balance maintained by the Town to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances.

Minimum Level of Unassigned Fund Balance. Unassigned fund balance will be maintained at a level sufficient to provide for the required resources to meet operating cost needs, to allow for unforeseen needs of an emergency nature, and to permit orderly adjustment to changes resulting from fluctuations of revenue sources.

General Fund and Special Revenue Funds (Streets, Parks, and Conservation Trust funds). The Town of Wellington, at a minimum, will maintain unrestricted budgetary fund balance of no less than four month (33%) of regular operating expenditures or 110% of debt service whichever is greater.

Enterprise Funds (Water, Sewer, and Drainage). The Town of Wellington, at a minimum, will maintain the greater of an unrestricted budgetary fund balance of no less than 90 days of regular operating expenditures or a debt service coverage ratio of 1.10 as required by State Revolving Fund (SRF) loan obligations. In addition, all enterprise funds will build up a capital reserve equal to one (1) years' depreciation expense by the end of 2029.

Library Trust Fund. The Library Trust fund, a private purpose trust fund, will have no minimum fund balance requirement other than the 3% TABOR reserve.

Replenishment Strategy. If the unassigned fund balance at fiscal year-end falls below the minimum level established by the Financial Management Policy, the Town shall develop a replenishment strategy to restore compliance within one to three years. As part of this strategy, the Finance Department will provide a progress report to the Board of Trustees annually. The report will include:

- The current level of fund balance compared to the policy minimum.
- The replenishment plan and timeline.
- Actions taken during the fiscal year to restore the fund balance.
- Recommended adjustments to the strategy, if necessary, to remain on track.

The annual progress report will be presented during the budget development process and incorporated into the financial planning documents provided to the Board of Trustees.

Order of Expenditure of Funds. When multiple categories of fund balance are available for expenditure (e.g., a project is being funded partly by a grant, funds set aside by the Board, encumbrances for obligations, and unassigned fund balance), the Town will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

In accordance with governmental accounting standards the Town's total fund balance is comprised of five components:

- A. Non-spendable Fund Balance represents resources that are physically or legally in a non-spendable form such as inventory,
- B. Restricted Fund Balance represents resources limited by state law or the provider such as grants or resources reported as "Stabilization by State Statute",
- C. Committed Fund Balance represents resources previously committed by the Trustees and encumbered for a particular purpose such as a project partially funded by grants, such as executed contracts,
- D. Assigned Fund Balance represents resources assigned less formally for a particular purpose such as insurance reserves or subsequent year spending, and
- E. Unassigned Fund Balance represents all remaining resources. Annual Review and Determination of Fund Balance Reserve Amounts Compliance with the provisions of this policy shall be reviewed as a part of the annual budget adoption process and amounts of the minimum level of unassigned fund balance shall be determined during this process.

Investments

Purpose. The Town is committed to investing public funds in a manner that will provide preservation of capital, maintain sufficient liquidity to meet anticipated cash flows, diversify investments to avoid unreasonable market risks, generate market rates of return and conform to all local and state statutes.

Permitted Investments. In accordance with state law, (C.R.S. 24-75-601) the Town may invest in the following instruments, provided they meet all statutory rating and risk requirements:

- A. Obligations of the U.S. Treasury and U.S. Government Agencies
- B. Certain international agency securities (e.g., World Bank)
- C. General obligation and revenue bonds of U.S. local governments
- D. Commercial paper rated at least A-1/P-1 by a Nationally Recognized Statistical Rating Organization (NRSRO)
- E. Bankers' acceptances issued by certain qualifying banks
- F. Local Government Investment Pools (LGIPs) organized under C.R.S. 24-75-701
- G. Repurchase agreements collateralized by authorized securities
- H. Certain SEC-registered money market mutual funds
- I. Guaranteed investment contracts and funding agreements that meet state requirements

Authority to Invest. The Finance Department will be responsible for investment transactions. These transactions will be made in accordance with the goals and guidelines of this investment policy. The Finance Department may choose to use investment managers to manage a portion of the Town's investment portfolio.

Standard of Prudence. The standard of prudence to be used shall be the "prudent expert" rule and shall be applied in the context of managing the overall portfolio. Investments shall be made with the care, skill, prudence, and diligence, under circumstances then prevailing, which prudent person acting in like capacities and familiar with such matters would use in the conduct of an enterprise of like a character and with the aims – not for speculation, but for investment considering the probable safety of their capital as well as possible income to be derived.

Conflict of Interest. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the Town's investments.

Diversification. It is the policy of the Town to diversify investments within the portfolio. Securities shall be diversified to eliminate the risk of loss resulting from over-concentration of investment in a specific maturity, a specific issue or a specific class of

securities. Diversification strategies shall be determined and revised by the Finance Department.

Safekeeping and Custody. Investments of the Town shall be held by a third-party custodian (bank or broker/dealer) or any branch of the Federal Reserve. Investment officials shall be bonded to protect the public against possible embezzlement and fraud.

Collateral Requirements. To qualify as a depository, financial institutions and savings and loan associations must collateralize the Town's deposits in accordance with: Sections 11-10.5-101 through 11 10.5-121, C.R.S. as amended entitled "Public Deposit Protection Act"; Sections 11-47-101 through 11-47-120 C.R.S. as amended entitled "Savings and Loan Association Public Deposit Protection Act."

Internal Controls. The Finance Department shall establish a system of internal controls to ensure the integrity of the investment process. Investment transactions shall be supported by written evidence, such as a confirmation ticket issued by the broker/dealer. In addition, the Town's independent auditor shall perform a review of the controls on an annual basis. The controls shall be designed to prevent loss of public funds because of fraud, errors, and misrepresentation by another party or imprudent actions by an employee or employees of the Town.

Budget

Purpose: This section defines the Town of Wellington’s policies and legal obligations for preparing, adopting, and amending the annual budget. It ensures that the budgeting process aligns with state law, supports long-term community priorities, and reflects sound financial planning. These policies promote transparency, accountability, and fiscal discipline by requiring balanced budgets, timely approvals, public engagement, and a clear link between resources and service delivery. The goal is to create a budget that not only meets statutory compliance but also serves as a strategic roadmap for achieving the Town’s objectives.

Fiscal Year. The Town’s budgets on a calendar year, January 1 – December 31 for all funds.

Budget Development Process Timeline. Not later than the first regular meeting of the Board of Trustees in October of each year, staff shall submit to the Board the itemized annual budget for the ensuing fiscal year (WMC Sec. 4-3-10). Prior to December 15, Finance Department staff will finalize a budget pursuant to Board direction. On or before December 15, the budget must be adopted, funding appropriated, and mill levies certified. A copy of the Town’s adopted budget must be filed with the Colorado Department of Local Affairs Division of Local Government by January 31.

Balanced Budget. The recommended budget presented annually to the Board of Trustees shall be balanced by fund. According to C.R.S. 29-1-103 no budget adopted shall provide for expenditures in excess of available revenues and beginning fund balances. Surplus fund and fund balance are considered a financing source.

Compliance with Colorado Revised Statutes. The Town’s budget development process complies with applicable sections of the Colorado Revised Statutes (C.R.S.), including but not limited to:

- A. 29-1-103(2), C.R.S. – No budget shall provide for expenditures in excess of available revenues and beginning fund balances.
- B. 29-1-103(1)(e), C.R.S. – Budgets must include a description of the services to be delivered during the budget year.
- C. 29-1-102(11), C.R.S. – Budgets must show the balance of total resources available for future budgets.
- D. 29-1-103(1)(d), C.R.S. – Budgets must present three years of comparable data.

Overhead Allocations. The budget will include overhead allocations to ensure the full cost of services for enterprise funds is reflected. This formula will be reviewed and updated **as needed** to maintain accuracy and equity across funds.

Fund Level. The annual budget is adopted and appropriated by the Board of Trustees on a fund level.

Budget Monitoring. The Finance Department will maintain a system for monitoring the Town's budget performance. This system will provide the Board with monthly reports that include resource collections, and expenditure on a fund level.

Link to Long-term Community Plans. The Town's annual budget will be developed in accordance with priorities set forth by community plans such as the Comprehensive Plan, master plans, Board of Trustees Strategic Plan, the needs of the community, and state and federal laws.

Distinguished Budget Presentation. The Town will seek to obtain the Government Finance Officers Association Distinguished Budget Presentation Award for each annual budget. The budget will be presented in a way that clearly communicates the budget to the members of the public.

Budget Amendments. It can be anticipated that budget amendments may occur each year. Budget amendments that would increase a fund's adopted budget, such as to expend unanticipated revenues or to transfer appropriated monies to another fund, require Board approval at a duly noticed public meeting.

Debt

Purpose. This section outlines the Town of Wellington’s policy for responsibly managing debt and long-term financing. It ensures that debt is only used when necessary, aligns with capital investment priorities, and supports the Town’s long-term financial health. The policy promotes transparency, limits borrowing to appropriate uses, and safeguards affordability by setting clear standards for debt issuance, term limits, oversight, and professional guidance. These principles are intended to maintain financial flexibility, obtain favorable borrowing terms, and preserve the Town’s creditworthiness.

Use of Debt. The Town will use long-term debt only for capital projects that cannot be financed out of current revenues. The Town will not use long-term debt for current operations.

Length of Issuance. Debt payments shall not extend beyond the estimated useful life of the project being financed up to a maximum of 35 years.

General Fund Debt Limitation. The Town will follow the most widely used ratio to express the impact of debt on the budget, which is annual debt service as a percentage of general expenditure. The Town will strive to maintain a General Fund Debt Limit of 8% to 10%, unless authorized by the Board of Trustees to exceed range.

Standards and Poor’s Debt Service as a Percentage of Expenditure:

- Low: Below 8%
- Moderate: 8% – 5%
- Elevated: 15% – 20%
- High: Above 25%

Enterprise Fund Debt Limitation. Revenue debt is paid off using dedicated revenue stream and is commonly associated with enterprise funds. The standard ratio used to express the limitation is debt service coverage, which is calculated by dividing net available revenues (regular or recurring revenues minus operating expenses) by principal and interest requirements for the year. This measure shows the extent to which revenues are available to “cover” annual debt service requirements, after operating costs have been paid for. The Town will strive to maintain a debt service coverage ratio of 1.25 and no lower than 1.10 as required by State Revolving Fund (SRF) loan obligations.

Standards and Poor’s Analytical Characterizations of Coverage Ratios:

- Strong: Greater than 1.50
- Good: Between 1.26 & 1.50
- Adequate: Between 1.0 & 1.25
- Insufficient: Less than 1.0

Approval of Debt Issuance. Long-term financing shall comply with federal, state, and local legal requirements. Staff will analyze the long-term affordability of the debt and assess the issue's impact of the Town's self-imposed financial limitation of indebtedness. The Finance Advisory Board may provide a recommendation to the Board of Trustees on the issuance of debt. Final approval rests with the Board of Trustees.

Determining the Method of Sale. All bonds will be sold at public sale; however, the Town reserves the right to reject any and all bids and sell the bonds at private sale if it is in the best interest of the Town.

Selection and Use of Professional Service Providers. The Town may obtain outside professional assistance including bond counsel and public finance professionals, through a request for proposals, to successfully authorize, structure, and market debt obligations.

Bond Proceeds and Compliance Practices: Currently, the Town has not issued bonds. In the event a bond issue is needed, the Finance Department and Board of Trustees will need to address this section. Professional services may be utilized to help in the issuance and sale of bonds.

Debt Refinancing. When advantageous to the Town, the Town Administrator and/or Finance Director shall present options to the Board of Trustees.

Revenue

Revenue Diversification. The Town should strive to maintain a diversified mix of revenues in order to provide ongoing stability and predictability. The Town will review revenue raising proposals in light of its total revenue mix in order to encourage growth and keep the Town economically competitive.

Revenue Forecasting. All revenue projections will be estimated conservatively. Revenue estimates will be based on trend analysis, economic conditions, and other factors.

Fees and Charges. The Town will review its fees and other charges for services annually to ensure that revenues are meeting intended program goals and are keeping pace with inflation, other cost increases and any applicable competitive rate. All changes to the schedule of fees and charges must be approved by resolution by Board of Trustees.

Collections of Existing Revenues. The Town will collect as efficiently as possible the resources to which it is already entitled. The Town will follow a proactive process of collecting and minimizing receivables.

Enterprise Funds. The Town of Wellington maintains enterprise funds for water, wastewater and drainage. Utilities function like a business/non-profit – expenditures must be paid by the revenues generated, per the amendment to the State Constitution (the "Amendment") as codified in Article X, Section 20. Revenue sources: Rates paid by current customers, impact fees (capital investment fees) paid by developers and homebuilders, loans and grants.

Enterprise Fund Limitations. Enterprise Funds shall only receive up to 10% of the revenue received in the fund from taxpayer transfers, through the General Fund, under the Taxpayer Bill of Rights (TABOR) and must be approved by the Board of Trustees. As a best practice, Enterprise Funds should not be subsidized by the General Fund and should be supported wholly by the fees and charges generated by the Enterprise. General Fund support functions provided to the Enterprise Fund will be handled with a high level of efficiency and respect for those Enterprise Fund missions and personnel and will be reviewed for compliance annually during the budget development process.

Internal Fund Loans. Interfund loans must be approved by the Board of Trustees and may be charged interest.

TABOR. On November 3, 1992, the Citizens of the State of Colorado approved Amendment 1, also known as the Taxpayers Bill of Rights (TABOR). TABOR specifically and significantly addresses the following issues: spending limitations, operating reserves and debt service.

In November 1994, voters permitted the Town, without increasing or adding any taxes of any kind, to collect, retain or expend revenues generated from all sources during 1994 and each subsequent year for trails, parks, and open space, storm water facilities and drainage, street, curb and sidewalk construction, repair and maintenance, police services, and for other basic municipal services and lawful purposes, without limitation. The Town has established an emergency reserve, representing 3% of qualifying expenditures, as required by TABOR.

Legal Requirements. The Town will maintain compliance with legal revenue restrictions as identified by voters, for special revenue funds, compliance with State Law, and other restricted revenues.

Grant Revenues. The Town will refrain from using grants to meet ongoing service delivery needs. In the Town's financial planning, grants will be treated in the same manner as all other temporary and uncertain resources and will not be used to fund ongoing, basic service needs. When pursuing or applying for grants, the Town should consider and plan for the long-term implications including increased maintenance, operational costs and replacement costs that may be necessary.

Grants – General

Grant Funding. Funding through grants is encouraged as a means of financing a project or one-time expenditure. Costs associated with grant reimbursements shall be separated into general ledger accounts or groups of accounts as is appropriate according to the specific grantor requirements.

Conflict of Interest. No employee or official of the Town shall have any interest, financial or otherwise, direct or indirect, or have any arrangement concerning prospective employment that will, or may be reasonably expected to, bias the design, conduct, or reporting of a grant-funded project on which he or she is working.

It shall be the responsibility of the Finance Department for each grant-funded project to ensure that in the use of sponsored funds, officials or employees of the Town and non-governmental recipients or sub-recipients shall avoid any action that might result in, or create the appearance of:

- A. Using their official position for private gain
- B. Giving preferential treatment to any person or organization
- C. Losing complete independence or impartiality
- D. Making an official decision outside official channels
- E. Affecting adversely public confidence in the grant-funded program and the Town in general

Grant Identification and Application. Departments intending to apply for grant funding from a federal, state, local, or private source – or anticipating receipt of such funds – must notify the Finance Department in a timely manner.

As part of the process, staff must complete the internal Grant Submission Form. This form will be reviewed by Town Leadership to determine approval based on the following criteria:

- A. **Timeline:** Sufficient lead time is available to prepare a high-quality application; the more time available, the better.
- B. **Budget Alignment:** The proposed project is included in the current year's approved budget.
- C. **Capital Plan Inclusion:** The project is identified in the Town's 5-Year Capital Improvement Plan (CIP).
- D. **Strategic Consistency:** The project aligns with the goals outlined in the Town's adopted master plan and related planning documents.
- E. **Project Ownership:** A designated staff member has been identified to lead the grant application and oversee grant management.
- F. **Community Support:** There is strong public or stakeholder support for the project.

- G. **Administrative Capacity:** The level of administrative effort required is reasonable given current staff capacity and workload, which can include but is not limited to daily operations staff, engineering, and project management.
- H. **Ongoing Obligation:** Operation and maintenance considerations, impacts, and costs.
- I. **Return on Investment:** Financial health factors, such as grant value, match requirements, and cost/benefit analyses as needed.

Strategic Alignment. Applications for grants and financial assistance and their awards shall align with existing Town strategic plan, master plans, and processes. Awards typically support activities in two categories:

- A. **Capital:** Applications and awards for capital should align with the Town's 5-Year Capital Improvement Plan, Strategic Plan, or Masterplans.
- B. **Operating:** Applications and awards for program support should align with other existing plans, or the Town's Strategic Plan.

Funding and Cost/Benefit Analysis. Prior to submitting or accepting any grant application, the requesting department should conduct a multi-year cost/benefit analysis that includes:

- A. Required matching funds and whether these are currently available
- B. Administrative and operating costs during and after the grant period
- C. In-kind contributions and overhead recovery
- D. Costs associated with grant reporting, monitoring, audit, and closeout
- E. Risk of Town funding being required beyond the grant period
- F. Cash flow implications, including potential needs for temporary funding via general revenues or short-term borrowing

Administrative and Operational Support. To ensure successful implementation and compliance, departments must provide the following:

- A. **Project Plan:** A clear plan for implementing the grant-funded project, identifying tasks, timelines, responsible staff, and key deliverables.
- B. **Staffing and Training:** Staff involved in grant management must receive appropriate training and understand the importance of accurate timekeeping, procurement compliance, and financial tracking.
- C. **Designation of a Grant Lead:** Each grant must have a designated individual responsible for oversight, compliance, and communication with Finance Department staff, auditors, and funding agencies.

Compliance and Monitoring. The designated Grant Lead will work with the Town Clerk to ensure record management in accordance with the Town's records policy and grant guidelines. The Grant Lead will also work with the Finance Department to ensure that grant

expenditures are recorded properly, financial reports are submitted on time, and grant audits are supported. Departments must cooperate fully in all grant-related reviews and must maintain documentation in accordance with federal, state, and Town requirements.

Grants – Federal

Purpose. This Policy for Federal grants applies to all expenditures of funds received through federal grants, whether those funds come directly from a federal agency or through an intermediary, known as a “pass-through entity”.

Policy Statement. The federal government imposes a set of standards for the acquisition of supplies, equipment and real property purchased with federal funds. Federal grant funds received by the Town must conform to the procurement standards identified in CFR§200.317 through §200.327. Individual federal grants may contain further requirements that are unique to those grants and are in addition to this Policy. It is therefore important for the applicant to work closely with the Finance Department to ensure compliance of each grant.

Ethics and Conflicts of Interest. The Town, as a government entity, is required to comply with the regulations under Federal Uniform Grant Guidance (UGG) (2 CFR §200.318(c)(1)), which requires written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award and administration of contracts.

- A. Conflict of Interest – Employee/Officer/Agent No employee, officer, or agent may participate in the selection, award or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible benefit from a firm considered for a contract. Officers, employees and agents of the Town of Wellington may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts. All business-related gratuities are specifically prohibited except nominally valued, widely distributed items (calendars, pencils, etc.)
- B. Organizational Conflict of Interest Organizational conflict of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the Town of Wellington is unable or appears to be unable to be impartial in conducting procurement action involving a related organization.
- C. Disclosing Potential Conflicts of Interest Employees, officers and agents are expected to comply with any applicable requirements pertaining to Conflicts of Interest with regards to grant awards. Employees, officers and agents must file a Conflict of Interest Disclosure Statement with the Finance Department before a grant application is filed. If the grant is awarded without an application process, then the disclosure must be completed as soon as possible after notification of the award is received. In the event that a conflict of interest arises after the award has been received, employees, officers and agents must disclose the potential conflicts

of interest in writing to the Finance Department as soon as they become aware of them. The written disclosure will include the name of the person, form or organization with whom the conflict exists, the nature of the conflict of interest, and the date that the conflict status began. Any potential conflicts of interest affecting the awarded funds will be disclosed by the Finance Department to the U.S. Treasury or pass-through entity in accordance with 2 C.F.R. § 200.112.

General Requirements. The following requirements are applicable to all procurement transactions regardless of size.

- A. Procurement transactions shall be conducted in a lawful and ethical manner.
- B. Unnecessary/duplicative purchases are not permitted (and are not reimbursable expenses.)
- C. Enter into agreements to share common goods or services with other governmental entities when possible.
- D. Use federal excess or surplus property in lieu of new purchases.
- E. Use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions.
- F. Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the procurement.
- G. Maintain sufficient records to detail the history of procurement, including rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for contract price.
- H. Purchases must remain in aggregate and cannot be separated into multiple increments in order to bypass procurement threshold requirements.

Competition. See the Code of Federal Regulations, 2 CFR 200.319 for the most up to date requirements.

Methods of procurement. See the Code of Federal Regulations, 2 CFR 200.320

Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. See the Code of Federal Regulations, 2 CFR 200.321

Domestic preferences for procurement. See the Code of Federal Regulations, 2 CFR 200.322

Procurement of recovered materials. See the Code of Federal Regulations, 2 CFR 200.323

Contract cost and price. See the Code of Federal Regulations, 2 CFR 200.324

Federal awarding agency or pass-through entity review. See the Code of Federal Regulations, 2 CFR 200.325

Bonding requirements. See the Code of Federal Regulations, 2 CFR 200.326

Contract provisions. See the Code of Federal Regulations, 2 CFR 200.327

Operating Expenditures

Current Revenues to Pay for Current Expenditures. Current operating revenues should meet or exceed current operating expenditure. The budget of the Town must identify ongoing resources that strive to match ongoing annual requirements. One-time cash transfers and ending balances in excess of reserves may be applied to reserves or to fund one-time expenditures. They should not be used to fund ongoing programs.

Personnel Compensation. The Town strives to always provide excellent service to the community. The Town is committed to offering competitive compensation packages that attract and retain highly qualified staff. The Town's compensation philosophy is based on internal and external considerations; salary ranges and pay structures should be evaluated every two years to determine the relative competitiveness of the pay structure to job market. All proposed merit and cost-of-living (COLA) adjustments require approval by the Board of Trustees during the annual budget development process.

Maintenance and Replacement of Capital Assets. Departments should maintain inventories and assess the condition of their buildings, equipment, and vehicles annually. The budget should include multi-year projections for facility and vehicle replacement. The Town will strive to provide sufficient funding for adequate maintenance and orderly replacement of capital assets and equipment.

Sale of Obsolete or Surplus Item. Items that have not been used or moved in three years – unless specifically designated for departmental use – will be considered obsolete and may be sold, donated, recycled, or auctioned. All obsolete or surplus item dispositions will be managed by the Finance Department, or its designee. Town employees and their relatives may not be given or transferred any obsolete or surplus items.

Obsolete or surplus items must first be made available for use by other Town departments. Notification will be given to Town Leadership via email, intranet, or other standard methods and items shall remain available for a minimum of five (5) business days. Items not claimed by another Town department may be sold to the original vendor to expediate revenue return and generate savings in Town time and expense.

Available remaining items shall be assigned an estimated fair market value based on condition, age, and other pertinent determining factors. All items under \$50 in estimated fair market value shall be donated to a nonprofit or governmental agency, recycled, or otherwise properly disposed of at minimal expense to the Town.

All other items will be disposed of as follows:

- A. Items between \$50 and \$250 in estimated fair market value:
 - 1. Notification will be given to all Town employees via email, intranet, or other standard method of available item(s).

2. The estimated fair market value is to be posted and is not negotiable.
 3. The item(s) shall remain available for a minimum of five (5) business days.
- B. Items over \$250 in estimated fair market value, or items of lesser value not sold to a Town employee:
1. Town employees and their relatives may not purchase obsolete or surplus items with a fair market value over \$250 outside of a public process.
 2. Items shall be made available to the public through auction or a competitive written bid, at the discretion of the Finance Department, or its designee.
 3. Notice of the sale or bid opportunity will be advertised at least ten (10) days prior to the sale.
 4. All sales shall be documented by the Finance Department, or its designee, to ensure transparency and compliance with Town policy.

Purchasing. Goods and services shall be procured in accordance with the Purchasing Policy.

Lease Purchase and Straight Lease of Capital Items. Lease purchase will be considered only when the useful life of the item is equal to or greater than the length of the lease. If the item becomes technologically obsolete or is likely to require major repair during the lease purchase period, then the item should either be purchased or placed on a straight lease.

Capital Improvement Projects (CIP)

Purpose. The five-year CIP budget is prepared and updated annually in the budget development process to account for financial resources that are used for planned construction projects, to acquire major and long-lived capital assets, and for large professional services expenses. These projects are consistent with the Town's long-term goals. Projects must cost more than \$25,000 and capital assets should have an expected life of greater than three (3) years.

Ongoing Operation Impacts. Resources for both ongoing operations and capital projects are not without limits, and the capital planning must work in conjunction with the annual budget development process. After a capital project is completed, the ongoing operation and maintenance appears in the operating budget for years to come and must be considered in the context of overall community needs. The decision to embark on a capital project or purchase capital equipment must be balanced with the demands of existing services.

Funding Strategies. The Town will use a variety of diverse sources to fund capital projects, including the "pay- as-you-go" philosophy, replacement related using fees for service, and capacity related funded by impact fees.

Budget Carryover. CIP appropriations are project-based, not strictly bound to the fiscal year in which they are adopted, and may be carried forward into future years if one or more of the following apply:

- A. The project remains active, with contracts in place or expenditures occurring
- B. Material progress has been made on planning, design, permitting, or construction
- C. External dependencies or funding delays (e.g., grant cycles, regulatory review) justify an extension

CIP appropriations shall be encumbered for executed contracts and shall lapse at the end of the fifth fiscal year. The Finance Department should maintain a detailed tracking system for carryover balances and report on carryover status as part of the annual budget process.

CIP appropriations not under contract by the following year's budget development process, and any lapsed projects, may be resubmitted for consideration in a subsequent CIP.

Project Identification. CIP submissions shall include a ranking identified by the project manager utilizing the standardized project ranking system outlined below. Each project submission must also include an operating budget impact statement to assess long-term costs and financial implications.

Standardized Project Ranking System.

Priority I: IMPERATIVE: Projects that cannot reasonably be postponed in order to avoid harmful or otherwise undesirable consequences.

- Corrects a condition dangerous to public health or safety
- Satisfies a legal obligation
- Alleviates an emergency service disruption or deficiency
- Prevents irreparable damage to a valuable public facility

Priority II: ESSENTIAL Projects that address clearly demonstrated needs or objectives.

- Rehabilitates or replaces an obsolete public facility or attachment thereto
- Stimulates economic growth and private capital investment
- Reduces future operating and maintenance costs
- Leverages available state or federal funding

Priority III: IMPORTANT: Projects that benefit the community but may be delayed without detrimental effects to basic services.

- Provides a new or expanded level of service
- Promotes intergovernmental cooperation
- Reduces energy consumption
- Enhances cultural or natural resources

Priority IV: DESIRABLE

- Desirable projects that are not included within five-year program because of funding limitations or more competitive project offers.

Emergency Procurement

The Town should take necessary steps to ensure preparedness for disasters and emergencies. Mutual aid agreements may be utilized to provide or receive emergency assistance during such events. These agreements are generally established in writing; however, in certain circumstances they may be arranged verbally after a disaster or emergency has occurred.

Notwithstanding any other provision of this policy, the Town Administrator or successor, in consultation with the Mayor or successor, may make, or authorize others to make, emergency procurement when there exists a threat to public health, welfare, public infrastructure, or safety under emergency conditions. A written determination of the basis for emergency and for the purchase or selection of the vendor or contractor shall be included with the purchase documentation (invoice, purchase order, check request, etc.).

If a threat to public health, welfare, public infrastructure, or safety under emergency conditions arises within Public Works and Utilities, the Public Works Director or successor must first attempt to contact the Town Administrator and can authorize emergency procurement within a reasonable amount of time. A written determination of the basis for emergency, the justification for timeline to act, and for the purchase or selection of the vendor or contractor shall be provided to the Town Administrator and Mayor, and shall be included with the purchase documentation (invoice, Purchase Order, check request).

When such an emergency condition arises, such as a natural disaster, that necessitates immediate action to minimize damage and inconvenience resulting from such condition, the Town Administrator or successor, is authorized to enter into emergency contracts not to exceed \$500,000, per contract, without bids or notice. If an emergency contract exceeds this amount, the Mayor or successor must sign an emergency declaration granting authority to execute such emergency contracts. All documentation, including justifications and contracts, must be provided to the Board of Trustees.

Purchasing

Purpose. This policy is intended to ensure adequate and uniform control of the Town of Wellington's purchasing and payment activities. Principles and policies incorporated into this policy are in accordance with Government Financial Officers Association best practices and applicable State of Colorado Law.

All parties involved in the negotiation, performance or administration of procurement and/or contracts for the Town shall act in good faith. All procurements should be made for the purpose of meeting the Town's current budget goals.

This policy encompasses all purchasing activity conducted on behalf of the Town. Any questions on any purchasing or payments situation should be directed to the Finance Department for assistance.

All purchases shall be made in accordance with the policies prescribed in this policy. Any agreement made contrary to these policies shall not be binding to the Town.

Code of Conduct.

- A. Every person engaged in purchasing for the Town shall act to acquire materials and services at the lowest reasonable price, of the proper quality, to reliably accomplish the service intended.
- B. Officials, employees, or agents of the Town shall not accept money, forbearance, or forgiveness of indebtedness from contractors, vendors, or potential contractors or vendors.
- C. Officials, employees, or agents of the Town shall not accept things of value, including but not limited to gifts, loans, rewards, favors or services, honoraria, travel, entertainment, or special discounts having a fair market value or aggregate actual cost greater than \$75.00 from contractors, vendors, or potential contractors or vendors, in alignment with State of Colorado Independent Ethics Commission current gift ban amount.
- D. No official, employee, or agent of the Town shall participate in any purchasing decision which affects the individual's personal financial interest or the interest of the individual's immediate family or of any corporation, partnership, or association of which the individual is a partner, member, creditor, or stockholder.
- E. No contractor, vendor, or potential contractor or vendor shall bribe, coerce, or attempt to bribe, coerce, or otherwise improperly influence an official, member, employee, or agent of the Town.
- F. Officials, employees, or agents of the Town shall not attempt to circumvent the intent of these purchasing policies by placing multiple orders with a single vendor, or orders on consecutive days, or by other practices that avoid triggering a specific purchasing procedure.

- G. Violations of these purchasing policies shall be examined first by the Town Administrator or the Finance Director, referred to Human Resources to determine appropriate action to be taken, and reported to the Board of Trustees.

General Provisions/Restrictions.

- A. No personal purchases shall be made using the Town's funds. Purchasing venues provided within this policy will be utilized only in the interest of the Town.
- B. Only designated Town staff are permitted to purchase utilizing Town funds within Signature Authorization and Purchasing Card limits.
- C. Purchases must be charged to the proper account, regardless of budget availability in the appropriate budget line item.
- D. Alcohol may only be purchased with Town funds with prior approval from the Town Administrator or Finance Director.
- E. Sales tax is not to be charged on any purchase in Colorado. The Town's tax-exempt numbers should be given to the vendor before the sale is completed. The Town's tax-exempt certificate is available from the Finance Department.
 - 1. For out-of-state travel, note that airlines, hotels, and other vendors may not honor the Town's tax-exempt status.
- F. All bid information shall be maintained by the purchasing department. Required bid information shall be attached to the documentation requesting payment by the Finance Department (i.e., Purchase Order, check request, invoice, etc.).
- G. No multi-year financing obligations (including rentals of equipment or space) will be committed without the review and concurrence of the Finance Director and the Town Administrator.
- H. Requests to open merchant charge accounts must be authorized by the Finance Director or the Town Administrator. The process to open the accounts, including completing the credit application and vendor setup, will be administered by the Finance Department.

Purchasing Thresholds. The following limits exist to ensure seamless operation of the Town while providing oversight and Board of Trustee approval for large expenditures.

A. Thresholds:

- | | |
|----------------------------------|-----------------|
| 1. P-Card Monthly Spending Limit | Up to \$40,000 |
| 2. P-Card Per Transaction Limit | Up to \$10,000 |
| 3. Signature Authorization | Up to \$250,000 |
| 4. Emergency Procurement | up to \$500,000 |

B. Bidding Thresholds:

**See Appendix B for guidelines*

- | | |
|--------------------------------|------------------------|
| 1. Buyer's best judgement | up to \$25,000 |
| 2. Two written quotes | \$25,000 to \$100,000 |
| 3. Three written quotes | \$100,000 to \$250,000 |
| 4. Sealed competitive bidding* | \$250,000.01 and above |

C. Board of Trustees Approval Thresholds:

1. Non-appropriated (non-budgeted) purchases above \$25,000
2. Appropriated (budgeted) purchases above the Town Administrator's signing authority.
3. All purchases and change orders made in accordance with a Board approved contract and within the appropriated budget do not need further approval.

Cooperative Purchasing. By approval of the Town Administrator or their designee, the Town may join other governmental bodies, including but not limited to, the State of Colorado and other local governments in making cooperative purchases in the best interest of this Town, notwithstanding other provisions of this Policy.

Negotiating Price. Unless specifically stated otherwise within a bid or RFP document, the Project Manager, Superintendent, Department Director or Deputy Director, Finance Director, or Town Administrator may negotiate the price for any given product or service.

Sole Source. Occasionally it is necessary to purchase supplies, services or construction items without going to bid, or that only one firm is in a better position to provide. A sole source purchase is a method of acquisition. It is not to be used to avoid competition. Price cannot be used as a factor in determining if a sole source exists because it indicates the existence of a competitive marketplace.

Examples of potential sole source purchases/services include: state bid, engineering or other professional or consulting services, items for resale, matching existing equipment, custom items, paint, prime lumber (except for large quantities), new technology services or equipment, on site repairs (such as heating, air, plumbing, phone) and utilities.

A sole source justification is required for every purchase of \$25,000 or more unless the purchase is being made from an existing contract, the supplier is specifically named in the grant, or the purchase is being competitively solicited.

Sole source purchases shall be subject to the Purchasing Thresholds and Signature Authorization Policies. Written justification of a sole source purchase must be approved by the Finance Director or Town Administrator prior to an order being placed. Written justification and approval shall be attached to the documentation submitted to the Finance Department (Purchase Order, check request, invoice, etc.).

Sole Source Justification Criteria. The following list of criteria shall be used in determining if a single or sole source situation exists:

- A. Only one manufacturer makes the item meeting salient specifications; that manufacturer only sells directly/exclusively through one regional/national representative.

- B. Item required must be identical to equipment already in use by the end user, to ensure compatibility of equipment, and that item is only available from one source.
- C. Collaborative project- Supplier is named where the identical equipment is required for compatibility and interoperability.
- D. Maintenance or repair calls by the original equipment manufacturer (OEM) are required for a piece of equipment, and the manufacturer does not have multiple agents to perform these services.
- E. Replacement or spare parts are required from the OEM, and the OEM does not have distributors for those parts.
- F. Patented items or copyrighted materials, which are only available from the patent or copyright holder.
- G. Unique expertise, background in recognized field of endeavor, the result of which may depend primarily on the individual's invention, imagination, or talent. Consultant has advanced or specialized knowledge, or expertise gained over an extensive period of time in a specialized field of experience.

Note: An item being a “sole brand” or a “sole manufacturer” does not automatically qualify to be a “sole source”. Many manufacturers sell their products through distributors. Therefore, even if a purchase is identified as a valid “sole brand” or “sole manufacturer”, the requester should verify whether the manufacturer has multiple distributors. If the manufacturer does have multiple distributors, competition should be sought among the distributors.

Signature Authorization

Signature authority is granted on an individual basis. A summary of designated staff with signature authority to approve Town expenditure shall be maintained by each department. The Finance Department shall keep a current master Signature Authorization Summary.

Signature authority requests are submitted by Department Directors or Deputy Directors to the Finance Department. Upon review and approval by the Finance Department, the request is sent to the Town Administrator for final approval.

General Provisions/Restrictions. Unless signature authorization has been designated and approved, no employee shall sign on behalf of the Town. Signing on behalf of another employee within the same department is only allowed by individuals with designated approval limits greater than the employee, the Finance Director, or the Town Administrator. Signing on behalf of another department is only allowed by the Finance Director or Town Administrator.

See Appendix A for Signature Authorization Limits

Purchasing Card (P-Card)

The Purchasing Card (P-Card) program is intended to streamline and simplify the purchasing functions by eliminating waste and low value activities. The P-Card is a tool that reduces transaction costs, facilitates timely acquisition of materials and supplies, automates data flow for accounting purposes and offers flexible controls to help ensure proper usage. The P-Card program is not intended to avoid or bypass appropriate procurement or payment procedures. Intentional misuse or fraudulent abuse may result in disciplinary action up to and including dismissal and legal action.

The card is issued by First National Bank of Omaha (FNBO). The card has no impact on an individual's personal credit rating although the card lists an individual's name as the card is issued to the Town of Wellington.

A Cardholder Guide is provided to outline issuance requirements, the types of purchases that can and cannot be made, records including transaction receipts that must be maintained, and reconciled for each cycle, and a variety of other program information. Some minimal record keeping is essential to ensure the successful use of the Purchasing Card. Public funds are committed each time a P-Card is used, a responsibility that should not be taken lightly.

Only employees of the Town of Wellington are eligible to be issued a P-Card. Contractors or temporary employees are not eligible. The cardholder is responsible for the security of their card(s) and the transactions made against the card(s). Each user will be required to sign the Commercial Card Cardholder Agreement. Employees must be authorized by the Department Director or Deputy Director based upon need.

The P-Card is not to be used for personal purchases, alcohol (without prior approval), tobacco, or cash transactions such as money orders or cash advances. Each card has a monthly total limit which will deny further transactions in that month, and each cardholder has a single purchase limit. Under no circumstances should a transaction be split into two separate receipts to bypass this dollar limit.

The following P-Card uses are not authorized:

- A. Purchases with vendors that have merchant charge accounts (i.e., Amazon).
- B. Fuel for personal vehicles. Reimbursement for mileage shall be made on the Travel Authorization Form at the current IRS reimbursement rate.
- C. Fuel for Town vehicles. Fuel Cards are provided for fueling Town-owned vehicles.
- D. Using another employee's P-Card.

Purchase Documentation. A receipt is required for all purchases and must be uploaded when reconciling card activity. If the purchase is made via phone, ask the supplier to include the receipt when the product is shipped or to email the confirmation.

Shipping. The external shipping label must be to the Town of Wellington building – not a personal address. It is required that all receipts and packing slips are retained.

Tax. Sales tax is not to be charged on any purchase in Colorado. The Town's tax-exempt numbers should be given to the merchant before the sale is completed. The Town's tax-exempt certificate is available from the Finance Department. The tax-exempt number is embossed on the purchase card. The cardholder is responsible for ensuring that sales tax is not applied.

Gratuity. Tips or gratuity on purchases for services, such as meals, is permitted up to 20%.

Reconciliation. The cardholder is required to reconcile transactions monthly, including providing explanations of purchases, assigning account codes, and uploading receipts.

Resolving Errors and Disputes. In the case of an error, first contact the merchant and try to reach an agreement. If unable to reach an agreement or the purchase is fraudulent, dispute the charge with FNBO. All disputes must be submitted within 30 days of the transaction date.

Lost or Stolen Cards. The P-Card should be secured at all times. If a card is lost or stolen, immediately contact FNBO at 1-800-819-4249 and notify the Finance Department.

Termination of Employment. Upon separation of employment with the Town of Wellington, P-Cards must be surrendered to the Finance Department or Human Resources.

Purchasing Activity Audits. All card activity is subject to random audits. The random audits are to help ensure adherence to the Program's policies and procedures.

See Appendix A for P-Card Per Transaction and Monthly Spending Limits

Travel

This travel policy applies to all officials, employees or agents of the Town travel for Town-related business and mileage reimbursements.

Approval. Travel and related expenses require approval prior to any purchases as follows:

- A. Travel within Colorado outside of the Fort Collins, Loveland, Greeley metro area:
 - 1. Without overnight stay – Obtain Department Director or Deputy Director approval; not eligible for per diem; utilize P-Card for necessary purchases
 - 2. With overnight stay – Complete a Travel Pre-Authorization Form in advance and obtain Department Director or Deputy Director approval; eligible for per diem or utilize P-Card for necessary purchases
- B. Outside of Colorado:
 - 1. Complete a Travel Pre-Authorization Form in advance and obtain Department Director, Deputy Director, or Town Administrator approval (Department Director shall obtain Town Administrator approval); per diem should be utilized for meal and travel incidental expenses and can be requested in advance (minimum two weeks prior to travel) or after travel; utilize P-Card for all other necessary purchases

Purchasing Card. P-Cards should be used whenever possible and practical for lodging, airfare, ground transportation, and parking. For situations where use of the P-Card was not practical or possible, allowable expenses paid by the traveler will be reimbursed. Receipts for reimbursed expenses are required and should be submitted with the reimbursement form and check request. P-Card may only be used for fuel on a Town paid rental vehicle, if necessary.

Per Diem. Per diem is allowed for travel requiring an overnight stay at the rates determined by the U.S. General Services Administration. Current rates are available at <https://www.gsa.gov/travel>. The per diem amount should be pro-rated for meals provided by the seminar/conference (if applicable). If actual costs are more than the per diem amount, the employee is responsible for the additional amount. If actual costs are less than the per diem amount, the employee may keep the balance. No receipts are required when using per diem. Travel within Colorado is not eligible for the “First and Last Day of Travel” per diem rate.

Airfare. In all cases, but within reason, the most cost effective and efficient manner of travel should be sought. Direct flights shall be considered the standard, even though flights with connections and/or layovers are often less expensive. Only economy or basic airfare shall be considered standard. Additional travel options such as early check-in and in-flight benefits are not allowable expenses. In general, the Town will reimburse the cost of one checked bag, however, employees are encouraged to utilize carry-on luggage whenever

possible. Situations requiring more than one checked bag, including presentation materials require Department Director or Deputy Director approval.

For out-of-state travel where the employee requests and approval are obtained to use alternative transportation (including train or automobile), the Town may elect to reimburse the employee for only the most cost-effective method of travel. Exceptions require Finance Director or Town Administrator approval.

Parking. In all cases, but within reason, costs for parking should be kept to a minimum.

- A. Airport Travel: Airport shuttle is encouraged when possible.
- B. Airport Parking: Employees should use their P-Card for economy parking fees.
- C. Hotel Parking: Self-parking shall be utilized, if available. Valet parking is allowed if it is the only option available. Unless otherwise approved in advance by the Department Director or Deputy Director, the employee shall pay the difference for additional costs of covered parking or valet service when other options are readily available.

Mileage Reimbursement. Amount per mile of mileage reimbursement is set at the current Internal Revenue Service's allowable rate per mile. Current rates are available at <https://www.irs.gov/tax-professionals/standard-mileage-rates>.

Internet Connection Charges. If internet connectivity is needed for work-related purposes while traveling and the hotel and/or conference charges for internet service, contact IT to check out a cellular option, if available. If necessary, the Town will cover the cost of any internet connection charges incurred while traveling when the primary purpose of the connection is work related.

Compensation for Hours Worked. Contact Human Resources with any questions regarding compensation for hours worked during travel for non-exempt employees.

Forms. All forms are available from the Finance Department and may be updated at the discretion of the Finance Director.

- A. Travel Pre-Authorization Form: used to estimate and accumulate the total cost of the trip; required for travel with an overnight stay
- B. Travel Reimbursement Form: required for any payment of employee-paid expenses related to travel while on Town business that a P-Card could not be utilized, such as mileage or tolls; supporting documentation, including Travel-Pre Authorization Form, receipts, mileage maps, etc., is required
- C. Check Request Form: required for per diem with supporting documentation from U.S. General Services Administration website and all reimbursements of employee-paid expenses with Travel Reimbursement Form and supporting documentation

Contracts

This policy applies to any contract over \$250,000 that the Town enters into. In general, the Town Administrator or the Mayor shall sign a contract for the Town (contractual authority) that obligates Town funds, although Directors or Deputy Directors may sign contracts within their authorization limits. The Town shall utilize contract templates approved by the Town Attorney or the contract must be reviewed by the Town Attorney prior to signing.

Each department and its personnel are responsible for the planning and successful execution of its projects. A Town Project Manager (or Town contact person) must be designated for each project and specified within the contract. This individual will be accountable for all aspects of proper contract administration surrounding the project in progress.

Contracts signed by the Town Attorney, Town Administrator, or the Mayor shall be provided to the Town Clerk to be attested.

See Appendix B for Competitive Bidding Guidelines

See Appendix C for Independent Contractor Procedures

Definitions

Accounts Payable. The function of the Finance Department processing payments for the Town.

Allocation. Town of Wellington account number to be charged for the purchase.

Available Funds: In governmental accounting under the modified accrual basis, available funds refers to revenues that are measurable and have been collected or are expected to be collected soon enough after the end of the period to pay the liabilities of the current period.

Bid Package. Documentation prepared and distributed by the Town in the solicitation of bids.

Board of Trustees. The legislative and governing body of the Town.

Capital Improvement. A fixed public improvement, including, but not limited to: streets, alleys, sidewalks, water or wastewater facilities, flood control facilities, traffic control devices, street lighting, parks, public structures, and landscaping.

Capital Improvement Contract. A Town contract for Capital Improvements.

Change Order. A Change Purchase Order is a Purchase Order initiated directing a vendor or contractor to make a change to the original Purchase Order or Contract in either amount, delivery, scope or items purchased.

Committed Funds: See “Encumbrance”

Construction. The process of building, altering, repairing, improving, or demolishing any public structure or building, or other public improvements of any kind to any public real property or within an appropriate easement.

Cooperative Purchasing. Procurement conducted by, or on behalf of, more than one governmental body.

Department. A designated unit within the Town that is responsible for providing a particular public service to residents. Departments currently include: Administration, Town Clerk, Finance, Human Resources, Library, Building & Planning, Public Works, Streets & Maintenance, Water, Wastewater, Distribution & Collection, Storm Drainage, Parks and Recreation.

Depreciable Purchases. Supplies or tangible property of \$25,000 or more.

Director. A Town employee reporting to the Town Administrator or Deputy Town Administrator with multiple function accountability and staff. Departments with directors currently include: Town Clerk, Finance, Human Resources, Library, Planning, Public Works, and Parks and Recreation.

Deputy Director. The Deputy Director serves directly below the Department Director and may act as the Director's designee in the Director's absence.

Emergency Conditions. A situation in which Town operations may be severely hampered or a situation in which the preservation of life, health, safety or property may be at risk as determined by the Town Administrator or successor, in consultation with the Mayor, or successor.

Encumbrance: A commitment or reservation of funds for future expenditure, such as a purchase order or contract, to prevent overspending and ensure budget availability.

Enterprise Fund: Government activities that operate like a private business, providing goods or services to the public primarily financed by user fees and charges, with the goal of being self-sustaining by covering their own operating and capital costs.

Governmental Body. Any department, commission, council, board, bureau, committee, institution, legislative body, agency, government corporation, or other establishment of this Town.

Intangible Purchases. Non-physical items of value such as insurance, leases, securities or water rights.

Invitation for Bids. All documents, whether attached or incorporated by reference, utilized for soliciting bids.

Non-Depreciable Purchases. Services, supplies, and intangible property. Also includes tangible property under \$25,000.

Professional Services. Services of a specialized nature, including, but not limited to: architecture, engineering, legal, accounting, surveying, land title services, environmental/scientific services, information technology, hiring screening process (drug testing, psych testing, etc.), equipment repair and maintenance, etc. Includes consulting services provided by individuals possessing specialized educational qualifications, practical expertise or professional certification where the final product is predominantly oral or written advice or information.

Purchase Order. A request to purchase goods or services typically provided to the vendor as confirmation of the Town's commitment to purchase.

Request for Proposals (RFP). A process used to acquire supplies and services that involve the review of written proposals and the use of negotiations with the most qualified bidder(s). This process may also include the use of a Request for Information (RFI) as a preliminary step to the RFP process in an attempt to gather information and pre-qualify prospective bidders.

Request for Quotes (RFQ). A formal process used to request pricing and terms from vendors on clearly defined goods or services, allowing the Town to compare offers and select the best option.

Services. The furnishing of labor, time, or effort not involving the delivery of specific end product other than management, reports, recommendations or repairs. No tangible product is provided.

Signature Authorization Summary. The list maintained by each department of designated staff authorized to approve Town expenditure. The Finance Department shall keep a current master list of each department's Signature Authorization Summary.

Successor. The individual who is formally designated to assume the duties and authority of a specified official (e.g., Mayor or Town Administrator) if the official is unavailable, incapacitated, or otherwise unable to perform their responsibilities.

Successor to the Mayor.

1. Mayor Pro Tem
2. Longest Serving Trustee

Successor to the Town Administrator.

1. Deputy Town Administrator
2. Finance Director
3. Public Works Director
4. Longest Serving Director

Tangible Property. Individual property and materials, including without limitation supplies, equipment, vehicles, parts, printing and consumable supplies.

Town. The Town of Wellington, Colorado, with a primary business location of 8225 Third Street, P.O. Box 127, Wellington, CO 80549.

Town Administrator. Appointed by the Board of Trustees to serve as the chief executive officer of the Town.

Town Treasurer. Finance Director appointed by the Board of Trustees to serve as the chief financial officer of the Town.

WMC. Wellington Municipal Code.

https://library.municode.com/co/wellington/codes/municipal_code

Appendix A

SIGNATURE AUTHORITY, P-CARD PER TRANSACTION, AND P-CARD MONTHLY SPENDING LIMITS

Department	Role	Signature Authority	Purchasing Card	
			Per Transaction Limit	Monthly Spending Limit
Administration	Town Administrator	\$250,000*	\$10,000	\$40,000
Administration	Deputy Town Administrator	\$200,000*	\$10,000	\$30,000
Finance	Director			
Public Works	Director			
Administration	Town Clerk, Human Resources Director	\$100,000*	\$7,500	\$15,000
Public Works	Deputy Director			
Building & Planning	Director			
Parks & Recreation	Director			
Library	Director			
* See Purchasing Policies – Purchasing Thresholds for Bidding and Board of Trustees Approval requirements for Signature Authority over \$25,000 *				
Administration	IT Manager	\$25,000	\$5,000	\$10,000
Finance	Controller			
Public Works	Superintendent, Fleet Mechanic, Administrator, Engineer II & III			
Building & Planning	Building Official			
Administration	Community Business Liaison	\$10,000	\$2,500	\$5,000
Public Works	Supervisor, Lead, Engineer I			
Parks & Recreation	Supervisor			
Administration	HR Generalist			
All departments	All roles unless specified	N/A	\$500	\$2,500

Appendix A may be updated as needed by consent agenda item at a Board of Trustees meeting

Appendix B

COMPETITIVE BIDDING GUIDELINES

Competitive bids (formal or informal) are required for dollar limit purchases identified in the Summary of Purchasing Criteria found in this Purchasing Policy. All bid specifications shall seek to promote overall economy for the purposes intended and encourage competition in satisfying the Town's needs and shall not be unduly restrictive so as to limit competition.

Depending on the nature of the product or service, bids are not necessarily awarded based on price alone. In situations where the low bid is not accepted, a written description of the other factors considered and the basis for the award shall be included with the bid information.

For purchases within a Director's or Deputy Director's authorization, bid information shall be maintained by the department. For purchases requiring additional authorization, a summary of the bid information shall be attached to the approval documentation.

BidNet. Departments are encouraged, but not required, to maintain bidder's lists. Whenever possible, the Colorado State Price Agreement Listing (State Bid) should be consulted. All formal bids shall be advertised on the Town's web site, and vendors should be encouraged to subscribe to the notification service provided on the site. Public notice may also include publication in the Town's legal newspaper or a newspaper of general circulation.

Types of Bids.

- A. **Solicitation Of Quote:** A solicitation is an informal quote obtained from a supplier or contractor in an informal manner (including verbally or electronically). For repetitive purchases, it is not necessary to obtain bids with each purchase. However, a bid process shall be conducted at least once every 2 years.
- B. **Invitation for Bid (IFB):** An IFB is a solicitation of formal bids. A "formal" bid is a solicitation that may require advertising, bonds, and sealed bids. The Director, Deputy Director, or their designee is responsible for the Bid Package and vendor eligibility. The specifications, delivery requirements, plans, drawings, and other items must be determined and finalized prior to the Bid Package being provided. Eligibility may be determined from a pre-qualification process, general advertising of project, or any other method deemed appropriate.
- C. **Requests for Proposal (RFP):** An RFP is a solicitation for goods or services designed for an award based upon criteria other than price alone. It is most often used for items or services that are hard to quantify or describe because it allows the proposer to suggest the item or service that might best suit the Town's needs.

Examples where an RFP may be appropriate include design services, professional services, on-call services, janitorial services and specialized equipment purchases.

The RFP should contain the following as a minimum:

- A. the type of goods or scope of services and where appropriate detailed specifications
 - B. the required time schedule
 - C. general requirements
 - D. conditions and provisions
 - E. location, date and time for submittal of the proposal
 - F. evaluation criteria to be used for selection and award
 - G. reservation of the right to waive formalities or informalities, reject any or all bids, accept proposal deemed most advantageous to the best interest of the Town
- D. **Pre-Qualification:** The Department Director, Deputy Director, or designee may determine if a pre-qualification (RFQ – REQUEST FOR QUALIFICATION) process is appropriate and determine the criteria. Criteria may include but are not limited to the following: construction experience, experience specific to the work specified, construction track record, government experience, and financial stability. The Department Director, Deputy Director, and/or project manager will review the qualifications and information to determine the acceptability of responding bidders.

Bid Evaluation. Bids shall be evaluated based on the requirements set forth in the Bid Package, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. The criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs, and total for life cycle costs. The Bid Package sets forth the evaluation criteria to be used. No criteria may be used in bid evaluation that is not set forth in the Bid Package.

Affirmative Contracting. The Town shall follow affirmative steps to assure that small, minority, or women-owned business enterprises are used when possible, on grant-funded projects. These steps include the following: (2 CFR 200.321)

- A. Place qualified small, minority and women-owned business enterprises on solicitation lists where solicitation lists exist for the needed goods or services
- B. Assure that small, minority and women-owned business enterprises are solicited whenever they are potential sources
- C. Divide or modify work requirements, when reasonable, into smaller tasks or quantities to permit maximum participation by small, minority and women-owned business enterprises
- D. Establish delivery or performance schedules as appropriate, that will encourage participation by small, minority and women-owned business enterprise

- E. Use resources such as the Small Business Administration to conduct outreach
- F. Require the prime contractor, if subcontracts are used, to take similar affirmative steps to use small, minority or women-owned business enterprises (reference contracts)

Award. The contract shall be awarded with reasonable promptness to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the Bid Package, unless the Town Administrator or their designee shall determine that the public interest will be better served by accepting a different bid. When the award is not given to the lowest bidder, a complete statement of the reasons for placing the order with another bidder shall be made available to all bidders upon request.

Cancellation of Invitation for Bids. An invitation for bids or any other solicitation may be canceled, or any or all bids or proposals may be rejected in whole or in part as may be specified in the solicitation, when it is in the best interests of the Town. The reasons therefore shall be put in writing and made part of the contract file.

Appendix C

INDEPENDENT CONTRACTOR PROCEDURES

The Town's Director of Human Resources or designee shall make the determination whether an individual is an independent contractor, as compared to an employee, and shall approve any contract arrangements.

An individual is generally considered to be an independent contractor if the employer has the right to control or direct only the result of the work and not the means and methods of accomplishing it. Examples may include a software programmer, recreation instructor and electrician. Compare with the Internal Revenue Code Test (www.irs.gov/newsroom/understanding-employee-vs-contractor-designation).

The determination needs to be made on a case-by-case basis.

Procedures. The procedures outlined herein are set forth to ensure conformity of the independent contractor policy. It is the responsibility of the department and its personnel to comply with all provisions set forth with this independent contractor policy.

- A. Steps in contracting with independent contractors include:
 - 1. Identification of need.
 - 2. Determination of status with Director of Human Resources.
 - 3. Negotiation of contract.
 - 4. Professional Service Agreement filed with Human Resources.
 - 5. IRS Form W-9 filed with Accounts Payable.
- B. Once the Director of Human Resources' approval to contract with an independent contractor is received, terms need to be negotiated with that contractor. Each independent contractor must be given a copy of the W-9 and must be made aware of the deadlines for payment processing through Accounts Payable.
- C. A Professional Service Agreement must be completed, signed, and forwarded to Human Resources. Human Resources will obtain the Town Administrator's signature. The original is kept in a file in Accounts Payable, with a copy returned to the originating department, who is responsible to provide the contractor with a copy. IRS Form W-9 must be completed, signed, and forwarded to Accounts Payable. Payment will not be processed unless the W-9 has been received.

Board of Trustees Meeting

Date: November 12, 2025

Subject: Ordinance No. 14-2025 Amending Article 4 of Chapter 4 of the Wellington Municipal Code Regarding the Vendor's Fee for the Collection of Sales Tax

- **Presentation: Nic Redavid, Finance Director | Town Treasurer**

EXECUTIVE SUMMARY

Ordinance No. 14-2025 Amending Article 4 of Chapter 4 of the Wellington Municipal Code Regarding the Vendor's Fee for the Collection of Sales Tax is considered for adoption, repealing Wellington Municipal Code Section 4-4-110 and eliminating the Town of Wellington's 3.33% vendor fee in alignment with the State of Colorado and Larimer County, effective January 1, 2026.

BACKGROUND / DISCUSSION

Section 4-4-110 of the Wellington Municipal Code states:

- The vendor (retailer) shall be entitled as collection agent for the Town to withhold a collection fee in the amount of three and one-third percent (3 1 / 3 %) from the total amount remitted by the vendor to the Town each month. If any vendor is delinquent in remitting said tax, other than in unusual circumstances shown to the satisfaction of the Executive Director of the Colorado Department of Revenue, the vendor shall not be allowed to retain any amounts to cover the vendor's expense in collecting and remitting said tax, and an amount equivalent to the full sales tax shall be remitted to the Executive Director by any such delinquent vendor.

Ordinance No. 14-2025 Amending Article 4 of Chapter 4 of the Wellington Municipal Code Regarding the Vendor's Fee for the Collection of Sales Tax seeks to repeal this section in its entirety. Collection, administration, and enforcement of the Town sales tax is performed by the Colorado Department of Revenue, and notification of a change to the vendor fee is required by November 15, 2025.

Recently, the Colorado General Assembly approved House Bill 25B-1005 to amend the Colorado Revised Statutes and eliminate the sales tax vendor fee that retailers are authorized to retain. The general assembly found the vendor fee did not compensate all retailers equally, and most of Colorado's home rule cities do not pay similar vendor fees for the collection and remittance of local sales tax. Additionally, removing the vendor fee simplifies the collection of sales tax, eases administrative burden, and relieves retailer confusion.

Additionally, at the October 14, 2025, meeting of the Board of County Commissioners of Larimer County, a resolution eliminating Larimer County's vendor fee was approved unanimously on the consent agenda. The County Commissioners agreed with the findings of the Colorado General Assembly that elimination of the vendor fee will promote fairness.

As the Town does not collect its own sales tax, the Town relies on sales tax reporting and data from the Colorado Department of Revenue. Confidential monthly revenue reports do not specify which retailers withhold the vendor's fee from the total amount of the Town's sales tax remitted to the State. Local Government



Manager, Brandon Davis, of the Colorado Department of Revenue - Taxation Division, confirmed that the reporting provided to the Town does not document who is retaining or the amount, and provided a method to estimate potential impact.

For revenue periods in 2024, in which all sales were made between January 2024 and December 2024, and sales tax was received by the Town between March 2024 and February 2025, the Town received approximately \$3.5M in sales tax revenue across all funds from businesses eligible to withhold the Town's vendor fee. This is not the full amount of sales tax revenue received by the Town for all funds, as a business must not be delinquent to withhold the vendor fee. Additionally, the method provided by Mr. Davis can not confirm it is only capturing eligible businesses. The total estimated annual vendor fee retained by eligible businesses, if all retailers withheld the fee, would be approximately \$118,350.

Examples of the annual impact on business types within the Town are as follows:

- National and international corporations (grocery, retail delivery, home goods, etc.): \$10,000 - \$18,000
- Convenience, liquor, medium-sized stores: \$1,500 - \$4,000
- Main Street restaurant, brewery, bar: \$600 - \$1,200
- Local small business (gift shop, plants, clothing): \$20 - \$60

It is important to note that this ordinance and change to Wellington Municipal Code does not increase sales tax on residents, does not create new responsibilities or burdens on retailers, and is not a tax policy change for purposes of section 20 (4)(a) of article X of the Colorado constitution.

CONNECTION WITH ADOPTED MASTER PLANS

Ensure Strong Town Operations; Cultivate & Nurture Community Spaces - Increase revenues for town facilities

FISCAL IMPLICATIONS

There is no expense for the Colorado Department of Revenue to eliminate the Town's vendor fee; however, for the vendor fee to be updated by January 1, 2026, in Revenue Online, the Department must be notified by November 15, 2025, that the vendor fee has been eliminated by Board action. The potential additional sales tax revenue the Town may receive is estimated to be between \$55,000 and \$110,000 for fiscal year 2026, split 67.67% to General Fund, 18.33% to Street Fund, and 15% to Park Fund.

STAFF RECOMMENDATION

Staff recommends the adoption of Ordinance No. 14-2025 Amending Article 4 of Chapter 4 of the Wellington Municipal Code Regarding the Vendor's Fee for the Collection of Sales Tax.

MOTION RECOMMENDATION

I move to adopt Ordinance No. 14-2025 Amending Article 4 of Chapter 4 of the Wellington Municipal Code Regarding the Vendor's Fee for the Collection of Sales Tax.

ATTACHMENTS

1. Ordinance No. 14-2025 Amending Article 4 of Chapter 4 of the Wellington Municipal Code
2. Ordinance No. 14-2025 Presentation

TOWN OF WELLINGTON

ORDINANCE NO. 14-2025

AN ORDINANCE BY THE TOWN OF WELLINGTON, COLORADO AMENDING ARTICLE 4 OF CHAPTER 4 OF THE WELLINGTON MUNICIPAL CODE REGARDING THE VENDOR'S FEE FOR THE COLLECTION OF SALES TAX

WHEREAS, the Town of Wellington has adopted Article 4 of Chapter 4 of the Municipal Code of the Town of Wellington, Colorado (the "Code"), addressing Sales Tax; and

WHEREAS, Sec. 4-4-110 WMC entitles a retailer to retain 3.33% of all local sales tax collected as reimbursement for administering and collecting said sales taxes; and

WHEREAS, in House Bill 25B-1005, the Colorado General Assembly eliminated the state vendor fee for collection and remittance of state-collected sales tax beginning January 1, 2026, finding the fee is not equally available to retailers and its elimination will promote fairness, simplify collection and administrative burdens, and relieve retailer confusion; and

WHEREAS, the Board of County Commissioners of Larimer County, Colorado approved the elimination of the county vendor fee on October 14, 2025, beginning January 1, 2026, in alignment with the reasons identified by the Colorado General Assembly; and

WHEREAS, for the same reasons identified in House Bill 25B-1005, the Board of Trustees desires to eliminate the Town of Wellington's 3.33% vendor fee.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON, COLORADO, AS FOLLOWS:

1. Section 4-4-110 of the Wellington Municipal Code is repealed in its entirety.
2. Severability. If any clause or provision of this ordinance is held to be invalid or unenforceable, the invalidity or unenforceability of the clause or provisions will not affect the validity of any of the remaining clauses or provisions of this ordinance.
3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.
4. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

PASSED AND ADOPTED by the Board of Trustees of the Town of Wellington, Colorado and ordered published this 12th day of November, 2025, and ordered to become effective January 1, 2026.

TOWN OF WELLINGTON, COLORADO

By: _____
Calar Chaussee, Mayor

ATTEST:

Hannah Hill, Town Clerk

Ordinance No. 14-2025 Amending Article 4 of Chapter 4 of the Wellington Municipal Code Regarding the Vendor's Fee for the Collection of Sales Tax

Nic Redavid, Finance Director | Town Treasurer



Wellington Municipal Code

Sec. 4-4-110. - Vendor's fee.

The vendor (retailer) shall be entitled as collection agent for the Town to withhold a collection fee in the amount of three and one-third percent ($3 \frac{1}{3} \%$) from the total amount remitted by the vendor to the Town each month. If any vendor is delinquent in remitting said tax, other than in unusual circumstances shown to the satisfaction of the Executive Director of the Colorado Department of Revenue, the vendor shall not be allowed to retain any amounts to cover the vendor's expense in collecting and remitting said tax, and an amount equivalent to the full sales tax shall be remitted to the Executive Director by any such delinquent vendor.



Vendor Fee Elimination Across Region and State

- Most of Colorado's home rule cities do not pay similar vendor fees for the collection and remittance of local sales tax
 - Fort Collins
 - Loveland
- Colorado General Assembly
 - House Bill 25B-1005, August 28th, 2025
 - "The vendor fee is being removed to promote fairness and equality between all retailers... Further, the vendor fee is being removed to simplify the collection of state-collected sales tax, ease administrative burden, and relieve retailer confusion."
- Board of County Commissioners of Larimer County
 - Administrative Matters – Consent Agenda, October 14, 2025
 - "WHEREAS, for the same reasons identified in House Bill 25B-S1005, the Board of County Commissioners desires to eliminate Larimer County's 2.22% vendor fee."



Estimated Potential Impact

- Approximate sales tax revenue for 2024: \$3.5M
 - Only from businesses eligible to withhold the Town's vendor fee
 - Businesses can not be delinquent
 - This method can not confirm it is only capturing eligible businesses
- Estimated annual Town vendor fee retained by eligible businesses: \$118,350
- Examples of annual impact on business types within the Town:
 - National and international corporations (grocery, retail delivery, home goods, etc.): \$10,000 - \$18,000
 - Convenience, liquor, medium-sized stores: \$1,500 - \$4,000
 - Main Street restaurant, brewery, bar: \$600 - \$1,200
 - Local small business (gift shop, plants, clothing): \$20 - \$60

Additional Considerations

- Ordinance and change to Wellington Municipal Code does not:
 - increase sales tax on residents
 - create new responsibilities or burdens on retailers
- Ordinance and change to Wellington Municipal Code is not a tax policy change for purposes of section 20 (4)(a) of article X of the Colorado constitution.
- For the vendor fee to be updated by January 1, 2026, in Revenue Online, the Department of Revenue must be notified by November 15, 2025, that the vendor fee has been eliminated by Board action.
- The potential additional sales tax revenue the Town may receive is conservatively estimated to be between \$55,000 and \$110,000 for fiscal year 2026, split 67.67% to General Fund, 18.33% to Street Fund, and 15% to Park Fund.



Questions?

Thank you!



Board of Trustees Meeting

Date: November 12, 2025

Subject: Resolution No. 47-2025 Establishing an Intergovernmental Agreement between Larimer County, Colorado and the Town of Wellington, Colorado Regarding Cooperation on Managing Urban Development

- **Presentation: Cody Bird, Planning Director**

EXECUTIVE SUMMARY

The Town and Larimer County have been collaborating to develop an Intergovernmental Agreement (IGA) for Growth Management Area (GMA) that will guide and facilitate plans and collaboration in areas where jurisdictional boundaries share topics of interest. The ongoing work follows direction provided by both governing bodies during a joint work session held February 18, 2025, where the Town Board of Trustees and the County Board of Commissioners expressed mutual interest in formalizing a cooperative approach to growth management and development, future annexation planning, and efficient utility extension and coordination within the area.

Since the February 2025 joint work session, Town and County staff have coordinated to develop a recommended GMA boundary that reflects the recommendations of the Town's Comprehensive Plan. A draft IGA was also created that establishes a framework for cooperative land use review, infrastructure planning and standards, and consideration for collection and coordination of fees. Recommendations regarding the GMA boundary and collaboration on land use reviews were shared at a public open house on August 21, 2025. Larimer County also advertised and held a public hearing by its Planning Commission on October 15, 2025 to consider a legislative rezoning to apply the County's GMA Overlay Zone District to the areas within the recommended GMA boundary and update the official zoning maps of the County. Following the public hearing, the County Planning Commission voted to forward a recommendation of approval of the GMA Overlay Zone District to the the Board of County Commissioners.

Consideration of the GMA Overlay Zone District and the IGA are scheduled to be considered by the Larimer County Board of County Commissioners on November 17, 2025. The IGA and its contents would become effective upon approval by both the Town and Larimer County. Staff from both the Town and County are recommending approval of the IGA.

BACKGROUND / DISCUSSION

The recommended GMA boundary reflects the recommendations of the Town's Comprehensive Plan by including areas identified on the Town's Future Land Use Map that are appropriate for urban-level development. Areas that are identified on the Town's Future Land Use map as "agriculture" are not included within the recommended GMA boundary at this time since that category is currently intended for preservation of working agricultural properties. Areas south of County Road 58 are also not included within the recommended GMA boundary at this time to reflect the Cooperative Planning Area identified in Larimer County's Comprehensive Plan. Future discussions regarding the Cooperative Planning Area will include Fort Collins, Timnath, Larimer County and Wellington and are a separate consideration from this IGA. The GMA boundary map is expected to be amended from time-to-time as the community grows and the boundary map can be amended by updating the exhibit while maintaining other provisions of the IGA.



The IGA includes considerations for transportation and street design standards applicable within the GMA. To allow continued coordination while the Town undertakes its Transportation and Mobility Plan over the coming year, the IGA includes a placeholder provision addressing transportation standards. This placeholder establishes an interim street standard to be used within the GMA until the Town completes its Transportation and Mobility Plan and updates its municipal street standards. At that time, the Town and County can revisit this topic and may amend the IGA to reflect the updated street standards and policies.

The IGA is intended to encourage development proposals needing urban-level services to request annexation to the Town. If annexation is not possible or cannot be agreed to, then the County's GMA Overlay Zone District would serve as the regulatory mechanism for implementing the development. The County's Land Use Code provides direction for "Planned Developments" and the "GMA Overlay Zone District," which collectively establish procedures, criteria, and referral processes for reviewing development proposals within the GMA prior to annexation into the Town. The GMA Overlay allows the County to process applications that take into consideration the Town's land use plans, infrastructure standards, and future annexation areas. Development applications within the overlay are reviewed by County staff and referred to Town staff for comment. Town staff can then review and provide recommendations on the development proposals.

A public open house was advertised and held for owners of property within the GMA boundary to share information, present draft materials, and gather community feedback. Notices were sent by first class mail to county property owners within the GMA boundary. The open house was held August 21, 2025 at the Wilson Leeper Center and was attended by approximately 50 individuals. Larimer County Planning staff and Town Planning Dept. staff discussed and answered questions from the attendees.

The Larimer County Planning Commission held a public hearing on October 15, 2025 to consider a legislative rezoning to apply the County's GMA Overlay Zone District to the areas within the recommended GMA boundary and update the official zoning maps for the County. In accordance with its public notice requirements, Larimer County advertised the County Planning Commission's public hearing on the GMA Overlay Zone District, including advertisement in the newspaper, posting of hearing at designated posting locations, and displaying maps illustrating the proposed GMA boundary for public inspection at the Larimer County Administrative Services Building. Following the public hearing, the County Planning Commission voted to forward a recommendation of approval of the GMA Overlay Zone District and updating the official zoning maps to the Board of County Commissioners. The recommendation to approve the GMA Overlay Zone District is scheduled to be considered by the Board of County Commissioners along with the IGA at its meeting of November 17, 2025.

CONNECTION WITH ADOPTED MASTER PLANS

This action supports the Board of Trustees' Strategic Plan and the goals and strategies of the Comprehensive Plan in the following ways:

Strategic Plan 2025-2029

Grow Responsibly

- Proactively maintain and improve utilities, streets and built environment.
- Reinforce & align plans for corridors and jurisdiction boundaries.

Ensure Strong Town Operations

- Leverage & expand external relationships

Comprehensive Plan

Facilities and Programs Goal 1 – Ensure a maintained level of service and efficient extension of service within the Growth Management Area (GMA).

- F&P.1.6. Identify criteria to ensure an appropriate level of service reaches all residents within Town limits and promote the efficient and logical extension of infrastructure services within the Town's GMA boundary.
- F&P.1.11. Formalize Intergovernmental Agreements with Larimer County, nearby municipalities, and utility providers to enhance and streamline joint land use planning, utilities delivery, revenue sharing, and growth boundaries, among other considerations.

Facilities and Programs Goal 2 - Ensure New Developments Contribute to Essential Community Services and Infrastructure

- F&P.2.7 Assess opportunities (e.g., conservation easements, Transfer of Development Rights, ect.) so landowners don't feel pressured to have to sell their land to a developer and can continue to have a working farm or open land.

Transportation Goal 1 - Create an efficient and safe transportation system for all modes of transportation within and beyond Town boundaries.

- T.1.6. Work with Larimer County to establish urban street standards for transition areas between Town and County jurisdictions.

FISCAL IMPLICATIONS

Entering into the Intergovernmental Agreement (IGA) does not create direct fiscal obligations for either party. The IGA guides and encourages development proposals needing urban-level services to seek annexation into the Town before pursuing development in unincorporated Larimer County. Fiscal implications of annexations will need to be considered with each annexation petition at the time the proposal is considered. Encouraging annexations and collaborating on developments that occur within the GMA reduces duplication of services and ensures coordination on the design, installation and maintenance of public infrastructure. Where a development proposal requires improvements to County roadways, the County will require the development to adhere to a more urban-level design and construction standard (Larimer County Urban Area Street Standards (LCUASS)). If the Town requires improvements above and beyond the LCUASS, the Town will have the obligation to inspect and maintain the improvements built to the higher standard. The IGA contemplates the collection of park land fee-in-lieu of dedication whereby Larimer County will collect and remit park fee-in-lieu of land dedication fees for residential developments located within the GMA. The IGA also identifies that, prior to annexation of any property, the Town and County will collaborate to establish appropriate procedures for the collection, accounting, and transfer of applicable service fees and system development fees for the Boxelder Basin Regional Stormwater Authority.

STAFF RECOMMENDATION

Town staff recommends approval of Resolution No. 47-2025 and approval of the Intergovernmental Agreement (IGA) in substantially the form submitted, and allowing for minor modifications to address spelling,



punctuation, numbering, formatting, spacing, and minor wording changes that are non-substantive in nature, all for the purpose of improving clarity and effect.

MOTION RECOMMENDATION

Move to approve Resolution No. 47-2025 Establishing an Intergovernmental Agreement between Larimer County, Colorado and the Town of Wellington, Colorado Regarding Cooperation on Managing Urban Development.

ATTACHMENTS

1. Resolution No. 47-2025
2. Intergovernmental Agreement Regarding Cooperation on Managing Urban Development

TOWN OF WELLINGTON

RESOLUTION NO. 47-2025

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON, COLORADO ESTABLISHING AN INTERGOVERNMENTAL AGREEMENT BETWEEN LARIMER COUNTY, COLORADO AND THE TOWN OF WELLINGTON, COLORADO REGARDING COOPERATION ON MANAGING URBAN DEVELOPMENT

WHEREAS, the Town of Wellington, Colorado and the County of Larimer, Colorado desire to cooperate in land use, transportation and infrastructure planning for the thoughtful and orderly development of areas around Wellington by entering into an Intergovernmental Agreement regarding Cooperation on Managing Urban Development (the “IGA”); and

WHEREAS, Title 29, Article 20, C.R.S., as amended, authorizes local governments to cooperate or contract with one another and to serve the public interest as set forth in the IGA; and

WHEREAS, the Board of Trustees of the Town of Wellington, Colorado desires to enter into the IGA and finds that it is in the best interests of the Town and its citizens.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Town of Wellington, Colorado, as follows:

1. The Intergovernmental Agreement regarding Cooperation on Managing Urban Development is hereby approved.
2. A copy of the IGA is attached hereto and made a part hereof.
3. The Mayor is hereby authorized to execute the IGA on behalf of the Town.

Upon a motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of November, 2025.

TOWN OF WELLINGTON, COLORADO

BY: _____

Calar Chaussee, Mayor

ATTEST:

Hannah Hill, Town Clerk

**INTERGOVERNMENTAL AGREEMENT between LARIMER
COUNTY, COLORADO and the TOWN OF WELLINGTON**
(Regarding Cooperation on Managing Urban Development)

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”) is made and entered into this _____ day of _____, 2025, by and between LARIMER COUNTY, COLORADO, a body politic organized under and existing by virtue of the laws of the State of Colorado, hereinafter referred to as the “County,” and THE TOWN OF WELLINGTON, COLORADO, a statutory municipal corporation and political subdivision of the State of Colorado, hereinafter referred to as the “Town” and jointly referred to as the “Parties.”

RECITALS

WHEREAS, continued growth in the Wellington area suggests that coordination between the County and Town can result in better management of development; and

WHEREAS, maintaining and enhancing areas of urban development in a thoughtful and deliberate way involves cooperation in land use and transportation planning, implementation of growth management policies, and the identification and preservation of open space and natural areas; and

WHEREAS, concentrating urban development in areas designated for such development affords greater efficiency in the delivery of such services as water, stormwater, sanitary sewage disposal systems, transportation, fire and police protection and other services, and also affords a measure of predictability to landowners and residents concerning where future services will be provided and urban development will be permitted; and

WHEREAS, Pursuant to Title 29, Article 20, Colorado Revised Statutes (“C.R.S.”), as amended, the General Assembly of the State of Colorado has found and declared that in order to provide for planned and orderly development within Colorado and a balancing of the basic human needs of a changing population with legitimate environmental concerns, the policy of the State of Colorado is to clarify and provide broad authority to local governments to plan for and regulate the use of land within their respective jurisdictions; and

WHEREAS, pursuant to said Title 29, Article 20, C.R.S., as amended, the General Assembly of the State of Colorado has designated certain powers to local governments, among them the power to regulate the location of activities and developments which may result in significant changes in population density, the power to provide for phased development of services and facilities, the power to regulate the use of land on the basis of the impact thereof on the community or surrounding areas, and the power to otherwise plan for and regulate the use of and so as to provide planned and orderly use of land and protection of the environment in a manner consistent with constitutional rights; and

WHEREAS, pursuant to said Title 29, Article 20, C.R.S., as amended, the General Assembly of the State of Colorado has authorized and encouraged local governments to cooperate or contract with other units of government for the purpose of planning and regulating the development of land, including but not limited to the joint exercise of planning, zoning, subdivision, building, and related regulations; and

WHEREAS, it is in the best interests of the citizens of Larimer County and the Town of Wellington for the County and the Town to enter into an intergovernmental agreement for the purposes of implementing their respective comprehensive plans (otherwise known as master plans), establishing effective means of joint planning and management of urbanization within their jurisdictions, assuring that urban development occurs only as urban level facilities and services are able to be provided, assuring that urban development that occurs in the unincorporated portion of Larimer County in the vicinity of the Town of Wellington is annexed to the Town as soon as possible, providing effective means for the appropriate maintenance of public improvements intended to serve urban development, providing for appropriately located and planned cooperative community separators in the region, and assuring that urban development within the Town of Wellington municipal boundary does not negatively impact road and storm drainage systems in unincorporated Larimer County, or appropriately mitigates those negative impacts; and

WHEREAS, the agreements and understandings set forth below will promote increased coordination between the Town and County and result in better management and control of urban level development in the Wellington area.

NOW, THEREFORE, in consideration of the covenants and obligations herein expressed, it is agreed by and between the parties hereto as follows:

1. **Growth Management Area Established.** The parties agree that the Wellington Growth Management Area (GMA) is contained within the boundaries identified in Exhibit A attached hereto. The Parties acknowledge that the County has adopted the GMA as an overlay zoning district pursuant to Article 2.7 – Overlay Districts, §2.7.2 - Growth Management Area (GMA) of the Larimer County Land Use Code. The GMA, and the areas inside the town limits of the Town represent the areas that the County and Town agree are appropriate for urban development with urban levels of public services and facilities. Except for areas that are contained within the incorporated limits of the Town itself, areas outside the GMA are not appropriate for urban development and will not be provided public services and facilities at urban levels. The Town agrees that the County’s regulations for GMA’s are satisfactory standards for Wellington’s GMA and has not requested adoption of specific supplementary regulations.
2. **Cooperative Planning Area Established.** The Parties agree that the Cooperative Planning Area is as shown on Exhibit A attached hereto. The Cooperative Planning Area is designated where the County will lead collaborative efforts with the Towns of Wellington, Timnath, Fort Collins and other affected stakeholders (residents and property owners) to address long-term land use planning and refer development proposals to each jurisdiction as they come to the County.
3. **Final Authority.** The Larimer County Board of County Commissioners shall have the final authority to approve or disapprove development proposals within Larimer County that have been recommended by the Larimer County Planning Commission for approval, approval with conditions, or disapproval so long as the development has not been annexed to the Town. In consideration of a development proposal that has not been annexed to the Town, the Larimer County Board of County Commissioners shall give substantial weight to land use, infrastructure and adequate public facility recommendations from the Town.
4. **Comprehensive Plans for the GMA.** The County agrees to use the Town’s Comprehensive Plan as a guideline for development inside the GMA. The Town acknowledges the County will not formally adopt the Town’s plan. The Town’s Comprehensive Plan includes any plans for land use, parks, transportation, drainage, natural resources or other elements deemed necessary by the Town to act as a guideline for development inside the GMA. The Town agrees to make its Comprehensive Plan

specific enough to give clear guidance through maps and text to the County, property owners, and developers as to the types, densities, and intensities of land use acceptable to the Town on any given parcel of land in the GMA.

The Town shall forward to the County for recommendation any proposed revisions to the Town's Comprehensive Plan for areas within the GMA at least thirty-five (35) days prior to final action by the Town. The Town shall notify the County of any revisions it ultimately adopts within ten (10) days of adoption.

5. **Development Regulations.** The Town acknowledges that the County has adopted certain land use regulations contained in the Larimer County Land Use Code at Article 2.7.-Overlay Districts, §2.7.2.-Growth Management Area (GMA) hereinafter "the GMA Regulations." The Town acknowledges and agrees that the County, through exercise of its legislative authority and discretion, may amend these GMA Regulations from time to time.

Notwithstanding the foregoing, the County acknowledges that its adoption of the above referenced GMA Regulations in their current form was a substantial inducement and consideration for the Town's entering into this Agreement. The County agrees, therefore, that it shall not legislatively amend or fail to follow the GMA Regulations and any subsequently adopted agreed upon GMA Regulations until it has first referred such proposed amendment or action to the Town for its recommendation. The Town shall provide its written recommendation to the County within ninety (90) days of receipt of the referral for legislative amendments and within thirty (30) days of receipt of the referral for other actions, unless the parties mutually agree upon a longer or shorter time period. In determining whether or not to adopt the proposed amendment or action, the Board of County Commissioners shall give great weight to the recommendation of the Town and the extent to which the proposed amendment or action promotes or impairs the purposes of this Agreement, and the various components (elements) of the Town's Comprehensive Plan.

In the event the County legislatively amends or fails to follow the current or subsequently adopted agreed upon GMA Regulations without the Town's approval, the Town may elect to exercise any or all of the following remedies:

- A. Terminate this Agreement upon giving sixty (60) days advance notice to the County.
- B. Refuse to annex any lands or specific parcels of land into the Town.
- C. Cease to maintain any public infrastructure improvements which the Town has theretofore agreed to maintain under Section 9 of this Agreement.

These remedies shall not apply to those occasions when the County modifies such GMA Regulations under the provisions and criteria for "Modification of Standards" as contained in the Land Use Code.

6. **Applications for Development Within the Wellington GMA Overlay Zone District Boundary.**

- A. **Development Applications.** Within the GMA, the County shall not accept any application for a rezoning, PD-Planned development, special review, or planned land division if the property has contiguity to the Town limits. Contiguity in this Agreement shall have the meaning defined in the Municipal Annexation Act of 1965, Title 31, Article 12, C.R.S., as amended, (the "Annexation Act"). The County may accept such applications if the Town denies the petition for annexation.

- B. **Development Annexes to Town First.** Except as provided in Section 6(C) of this Agreement, the County agrees it will not accept any development application listed above within the GMA boundary for property which has the contiguity to the Town limits required by the Annexation Act for voluntary annexation to the Town, whether through a series of annexations or otherwise. The owner of such property shall instead be required, prior to development, to seek annexation to the Town unless the Town rejects the development application in accordance with Section 6(D) of this Agreement. The County will not accept a development application for any property in the GMA which on the date of the adoption of this Agreement was part of a parcel that was contiguous and eligible for annexation by the Town, in accordance with the Annexation Act, but no longer is eligible for annexation because a change in property boundaries that was not authorized by the County resulted in a break of contiguity, including 35 acre land divisions and deeded property line adjustments. Exceptions to the above are:
- Land divisions created by court order from probate,
 - Land divisions created by dissolution of marriage,
 - Land divisions created by eminent domain proceedings, or
 - Land divisions or changes to a property boundary line that is approved by the County with the written consent of the Town.
- C. **Subarea Plan for Transferrable Density and Receiving Area Applications.** The parties may develop a subarea plan for a Transferrable Density Units Program that would create sending and receiving areas. In that case, the County may accept development applications for lands located within any area that is part of a “receiving area” established through an adopted subarea plan for any Larimer County Transferable Density Units Program. At such time as the County requires a landowner in a receiving area to request annexation to the Town, the Town will process the annexation petition such that the annexation, if approved by the Town, will be completed no later than thirty-five (35) days following the Town’s approval of the final plat.
- D. **Town Denial of Application.** If the Town denies an annexation petition required to be submitted, the County may accept the application and process and rule on it in accordance with the Larimer County Land Use Code. If the Town has denied the annexation petition because it contained conditions deemed by the Town to be unacceptable, the Applicant will be required to demonstrate to the County that it has provided a complete annexation petition and complied with the terms of this Agreement. If a property owner whose annexation petition was denied by the Town because of unacceptable conditions contained in the annexation petition challenges the County’s decision on the basis that the resulting inability to develop his or her property in either the Town or the County constitutes an unlawful taking, to the extent authorized by law, the Town shall indemnify and defend the County against such claim.
- E. **Appeals.** The County and Town agree that appeals, interpretations and variances from zoning provisions within the GMA which are applied at the building permit stage shall be forwarded to the Larimer County Board of Adjustment as provided for in the Larimer County Land Use Code. All other appeals shall be maintained pursuant to the Larimer County Land Use Code.
- F. **Town Comment on County Applications.** The County agrees that it shall refer to the Town for review and comment, Development Applications as listed in Section 6(A), for properties located within the GMA. The Town shall advise the County whether or not the proposed development complies with the Town’s Comprehensive Plan and the GMA Regulations in

the Larimer County Land Use Code (collectively, the “Standards”). The Town shall provide its comments to the County in writing within the time required for county referrals established by State Law. Except to the extent that the Town notifies the County through its written comments that the development does not comply with the Standards, the County may assume that the proposed development complies with the Standards and the County shall have no responsibility to further review the proposed development for compliance with the Standards.

7. **Development Outside of the GMA.** The County agrees to use the Larimer County Comprehensive Plan as a guideline for development outside the GMA. The County shall forward subsequent revisions to the Comprehensive Plan to the Town for recommendations at least thirty-five (35) days prior to final action by the County. The County shall notify the Town of any such revisions that it ultimately adopts within ten (10) days of adoption.
8. **Annexations.**
 - A. **Expeditious Annexations.** It is the Town’s intent to annex properties within the GMA as expeditiously as possible consistent with the terms of this Agreement. The Town agrees to consider the annexation of any parcel or parcels of land located within the GMA which are eligible for voluntary annexation pursuant to the provisions of the Annexation Act.
 - B. **Annexation of Rights of Way, etc.** The Town agrees to annex all County Road rights-of-way, easements, etc., adjacent to a voluntary annexation in accordance with the Annexation Act.
 - C. **Involuntary Annexations and Enclaves.** The Town agrees to pursue involuntary annexation of any parcel that becomes eligible for involuntary annexation. It is the Town’s policy to annex enclaves (meeting the definition of an enclave eligible for involuntary annexation in C.R.S. 31-12-106) as expeditiously as possible.
 - D. **Annexation Agreements.** The Town agrees to pursue annexation of any parcel whose owner has signed an annexation agreement in accordance with Section 8(F) when such property becomes eligible for annexation.
 - E. **Property outside GMA.** The County agrees that the Town, in its sole discretion, except for those areas and instances noted in Sections 2 and 6(B) of this Agreement, may annex outside the GMA. The Town agrees that proposed annexations outside the GMA will be sent by certified mail to the Board of County Commissioners for review and comment at least twenty-five (25) days prior to the scheduled public hearing on the annexation before the Town Board of Trustees in accordance with the notice requirements of the Municipal Annexation Act of 1965.
 - F. **Annexation Agreements Required for Developments in GMA.** The County agrees to require a binding agreement for future annexation in the form attached as Exhibit B as a condition of approval of any development application requiring approval by the Larimer County Board of Commissioners, which is located within the GMA but is not, at the time of development approval, eligible for voluntary annexation to the Town.
9. **Improvements to and Maintenance of Public Facilities.** The County agrees to require development proposals within the GMA to make improvements to County roads consistent with the Larimer County Urban Area Street Standards for Loveland as adopted by the Town of Wellington, for the

GMA which, to the extent reasonably feasible, will be consistent with the multi-modal and level of service standards for road improvements required by the Town inside the Town limits. Until the Town completes its Transportation & Mobility Plan, staff from the Town and County Engineering Departments shall coordinate on which street cross section shall be utilized for road improvements associated with proposed development applications. Upon completion of the Wellington Transportation & Mobility Plan, the Town and County will amend this Agreement to specify road classifications within the GMA for the application of Larimer County Urban Area Street Standards (LCUASS). If such amendment is not adopted within 90 days of the completion of the Wellington Transportation & Mobility Plan, either party may choose to terminate this agreement or propose alternative amendments.

The Town agrees to provide routine maintenance and inspection of such public infrastructure improvements (whether on or off the development site) which, would not otherwise have been required by Larimer County Urban Area Street Standards. (Examples of such improvements may include transit facilities, bicycle lanes, or parkway/median landscaping.)

The Town agrees to apply its “Standard Design Criteria and Standard Construction Requirements” for off-site improvements to any development within the Town limits which has an identifiable impact on the County road system which may require the developer to make certain improvements to County roads outside the Town limits. If improvements are to be made to County roads outside the Town limits, the Town agrees to send plans of said improvements to the Larimer County Community Development Department and Larimer County Engineering Department for review and comment. The Town also agrees to provide routine maintenance and inspection of all such public infrastructure improvements (whether on or off the development site) which would not have been required by Larimer County Urban Standards. (Examples of such improvements may include transit facilities, bicycle lanes, or parkway/median landscaping.)

10. Collection of Park Land Fees in-lieu-of-Land Dedication within the Town’s GMA Boundary.

The County agrees to collect park land fee-in-lieu of land dedication fees for the Town (as defined in the Town’s current fee schedule) from all residential development located within the GMA at the time of issuance of applicable building permits. The County shall remit this fee to the Town to be used for park and recreation purposes to benefit residents of the GMA and Town. The fee will be in accordance with the then current fee as adopted by the Town.

11. Boxelder Basin Regional Stormwater Authority Fees. The Town acknowledges with the County that the portions of the County within the Boxelder Basin Regional Stormwater Authority (Authority) Service Area are being charged annual service fees. The Town also acknowledges that all new development in the Authority Service Area is charged a one-time system development fee based on new impervious area. Should any of those areas be proposed for annexation into the Town, the County and Town shall, prior to the effective date of annexation, mutually agree how to identify, collect allocate and remit all existing or future service fees and system development fees applicable to the annexation property.

The Town and County shall cooperate in identifying the annexation properties within the Authority Service Area that are subject to the existing or future Authority service fees and system development fees. Prior to annexation of any property located within the Authority Service Area, the County and Town shall cooperate to ensure complete and accurate records of such properties, including but not limited to parcel identification, fee payment history, outstanding balances, and applicable fee schedules. The Town and County shall further cooperate in coordinating with the Authority to ensure the accurate accounting, collection, and transfer of any fees due or payable in connection with the annexed property.

12. **Amendments to the GMA Boundary.** The Town and County agree that any amendments to the GMA Boundary shall be mutually agreed upon in writing by the parties. The County shall implement such amendments in accordance with the procedures and requirements for amendments to zoning district boundaries outlined in the Larimer County Land Use Code.
13. **Enforcement.** Both the Town and County intend that this Agreement be binding upon them. Either party hereto shall be permitted to specifically enforce any provision of this Agreement in a Court of competent jurisdiction.
14. **Term.** This Agreement shall remain in force and effect for a period of ten years from the date of its execution. At the end of the initial ten-year term, the Agreement shall automatically renew for successive five-year terms, unless either party provides written notice of non-renewal at least 90 days prior to the end of the then-current term.
15. **Severability.** If any provision of this Agreement is held invalid or unenforceable by a court of competent jurisdiction, such provision shall be severed and the remaining provisions shall continue in full force and effect. If such severance materially affects the purpose or intent of this Agreement, the parties shall have the option of terminating this Agreement upon mutual consent.

LARIMER COUNTY, COLORADO

By: _____
Chair, Board of County Commissioners

ATTEST:

Approved as to form:

County Attorney

TOWN OF WELLINGTON, COLORADO

By: _____
Mayor, Town of Wellington

ATTEST:

Town Clerk

Approved as to form:

Town Attorney

EXHIBIT "A"

GROWTH MANAGEMENT AREA OVERLAY ZONE DISTRICT
AND COOPERATIVE PLANNING AREA MAP

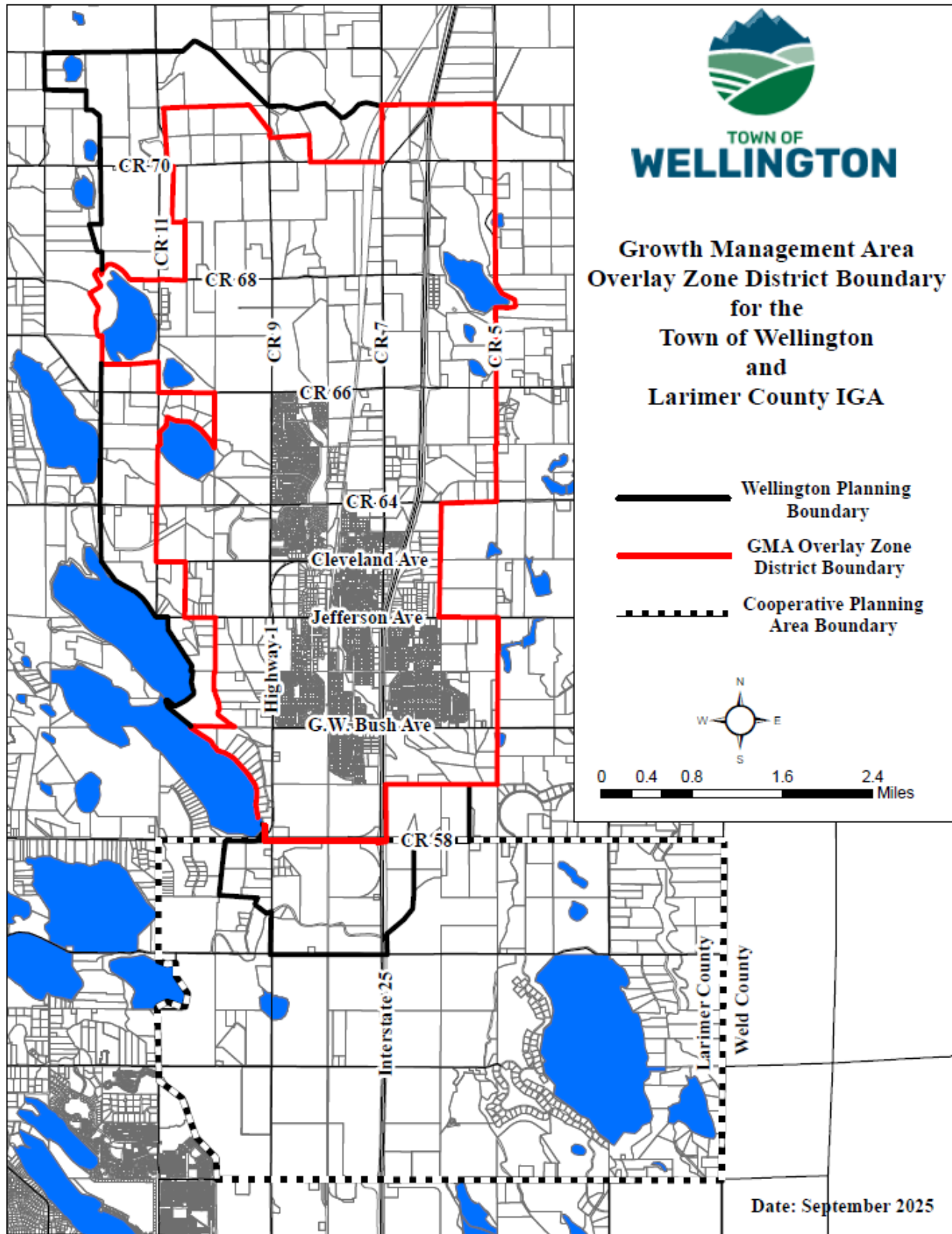


EXHIBIT “B”

SAMPLE ANNEXATION AGREEMENT

TO THE TOWN OF WELLINGTON, COLORADO:

The undersigned owner (hereinafter referred to as “OWNER”) of the property, more particularly described on Attachment “A”, attached hereto, has filed an application with Larimer County under the terms of the INTERGOVERNMENTAL AGREEMENT REGARDING COOPERATION ON MANAGING URBAN DEVELOPMENT between Larimer County and the Town of Wellington (hereinafter referred to as “TOWN.” It is expressly understood and agreed by the undersigned OWNER that, if granted, the development approval shall be in consideration of and upon the following terms and conditions, to-wit:

1. If the property shall ever be included within the boundaries of a territory which is sought to be annexed to the TOWN itself, then and in that event, the undersigned OWNER specifically agrees to consent to and join in the annexation of such territory by the TOWN; and that the undersigned OWNER will comply with all of the legal requirements and conditions pertaining to the annexation of territory to the TOWN. It is understood by the undersigned OWNER that the primary consideration for granting of development approval according to the terms of the INTERGOVERNMENTAL AGREEMENT REGARDING COOPERATION ON MANAGING URBAN DEVELOPMENT is the undersigned OWNER’S covenant and the promise to consent to the annexation of said territory to the TOWN, comply with all requirements and conditions as aforesaid and sign all petitions and maps pertaining thereto. Furthermore, the undersigned does hereby empower and irrevocably authorize and appoint the Town Clerk of the Town of Wellington, Colorado, as lawful attorney-in-fact, on behalf of the undersigned, to sign any such annexation petitions and maps thereby binding the undersigned, to all of the terms and provisions of said petitions and maps for all intents and purposes as if the undersigned had signed said petitions and maps. This power of attorney shall not be affected by the disability of the principal. This appointment shall not preclude the Town from undertaking any other available action, which may be necessary to enforce the provisions of this Agreement. Notwithstanding the limitation set forth in Section 31-12-107(8) C.R.S. 1973, OWNER hereby waives the five (5) year limitation of such power of attorney as contained therein and agrees that this power of attorney shall be valid for a term of twenty (20) years from the date of this Agreement, unless a court of competent jurisdiction determines that the provisions of Section 31-12-107(8) C.R.S. 1973 cannot be waived or modified by the OWNER, in which event this power of attorney shall be valid for a term of five (5) years from the date of this Agreement.

2. That all terms and conditions herein set forth shall extend to and be binding upon the heirs, assigns or successors in interest of the undersigned OWNER and be considered as a covenant running with the land described in Attachment “A.” Further, it is agreed that, in accepting title to the property described in Attachment “A,” or any part thereof, any grantee, heir, assignee or successor in interest to the undersigned OWNER expressly agrees to be bound by the terms hereof, including, but not limited to, the appointment of the Town Clerk as attorney-in-fact for the purposes set forth in Paragraph (1) above.

3. That this agreement shall be recorded pursuant to the provisions of Colorado Statutes; and that the Town may undertake any action legally available to enforce the provisions hereof. In the event the TOWN is required to undertake any action to enforce the terms hereof, the undersigned OWNER and their heirs, successors and assigns agree that the TOWN may recover from the OWNER of said property its reasonable expenses, including attorney fees, incurred with respect to such action.

4. That, if any section, sections or provisions of this agreement is declared invalid for any reason whatsoever by any competent court, such invalidity shall not affect any other sections or provisions of this agreement if they can be given effect without the invalid section, sections or provisions.

5. That the following grammatical rules shall apply to this agreement: any gender includes the other genders; the singular number includes the plural and vice versa; words used in the present tense include the past and future tenses and vice versa, unless manifestly inapplicable; and the words shall be constructed according to context and approved usage of language.

IN WITNESS WHEREOF the applicant has hereunto set hand and seal this ____ day of _____, 20____, by

OWNER

STATE OF COLORADO)

COUNTY OF LARIMER)

Subscribed and sworn to before me this ____ day of _____, 20____, by

_____.
WITNESS my hand and official seal.

My Commission Expires:

Notary
Public

Board of Trustees Meeting

Date: November 12, 2025

Subject: Public Hearing and Second Reading on Ordinance No. 15-2025 Considering Adoption by Reference of the 2024 International Building Codes with Local Amendments, and Adoption of the Colorado Model Electric Ready and Solar Ready Code, and Adoption of the 2025 Colorado Wildfire Resiliency Code Version 1.0

- **Presentation: Cody Bird, Planning Director and Kelly Dykstra, Building Official**

EXECUTIVE SUMMARY

The Town is proposing to adopt the 2024 International Building Codes, The Colorado Model Electric Ready and Solar Ready Code, and the 2025 State of Colorado Wildfire Resiliency Code. As a region, from March to July of 2025, local building departments, including Larimer County, and several Northern Colorado jurisdictions, code contractors and representatives of SAFEbuilt, participated in a weekly review committee where the 2024 International Codes were evaluated in conjunction with The Colorado Model Electric Ready and Solar Ready Code and 2025 Colorado Wildfire Resiliency Code established by the State of Colorado. The region worked collaboratively on the review to propose needed local amendments and to align codes for consistency across jurisdictions. Adoption of the 2024 International Building Codes is recommended with local amendments as identified.

The purpose of this agenda item is to conduct the second reading on Ordinance No. 15-2025, conduct the public hearing, hear testimony, and close the public hearing. Following the close of the public hearing, the Board of Trustees has a separate item on the agenda to take action on Ordinance No. 15-2025.

BACKGROUND / DISCUSSION

The current building codes adopted by the Town are as follows:

- 2018 International Building Code
- 2018 International Residential Code
- 2018 International Fuel Gas Code
- 2018 International Plumbing Code
- 2018 International Mechanical Code
- 2018 International Existing Building Code
- 2018 International Property Maintenance Code
- 2018 International Energy Conservation Code
- 2018 International Fire Code
- 2023 National Electric Code (as required by State of Colorado)

The Town is proposing to adopt the 2024 International Building Codes, The Colorado Model Electric Ready and Solar Ready Code, and the 2025 State of Colorado Wildfire Resiliency Code. The recommended codes for adoption were introduced for first reading by the Board of Trustees at its regular meeting of October 14, 2025.

- All 2024 International Codes are proposed for adoption by reference.



- Wellington Fire Protection District (WFPD) is the authority responsible for enforcement of the Fire Code. WFPD is proposing to adopt the 2024 International Fire Code with amendments and has coordinated with the Town Building Department to align the Fire Code and Building Code with local amendments. The Town adopts the same Fire Code as WFPD, including amendments.
- The 2025 State of Colorado Wildfire Resiliency Code was established by the State of Colorado June 1, 2025. All municipalities must adopt the code or a more stringent code by April 1, 2026, and enforce the code by July 1, 2026.
- The Colorado Model Electric Ready and Solar Ready Code was established by the State of Colorado June 1, 2023. All municipalities must adopt and enforce the code when adopting or updating any building codes after July 1, 2023.
- The National Electric Code is adopted by the State of Colorado. The current code adopted by the State is the 2023 National Electric Code. This is already adopted by the Town and will remain the same.

C.R.S. 31-16-202 et seq. allows municipalities to adopt codes by reference. When the Town adopts codes by reference in accordance with State Statutes, the Town is required to introduce the ordinance and schedule a public hearing to consider the ordinance at least 15 days prior to adoption. The ordinance was introduced at the October 14, 2025 Board of Trustees meeting, and a public hearing scheduled for November 12, 2025. Notice of the public hearing was published in the newspaper two consecutive weeks in accordance with State law.

CONNECTION WITH ADOPTED MASTER PLANS

Ensure Strong Town Operations and Grow Responsibly.

FISCAL IMPLICATIONS

N/A

STAFF RECOMMENDATION

Conduct a second reading of Ordinance No. 15-2025 and conduct a public hearing for consideration of adoption of the 2024 International Building Codes with local amendments and the Colorado Model Electric Ready and Solar Ready Code and the 2025 State of Colorado Wildfire Resiliency Code.

MOTION RECOMMENDATION

N/A

ATTACHMENTS

1. Ordinance No. 15-2025
2. Newspaper Notice - Published 10/27/2025
3. Newspaper Notice - Published 11/3/2025

TOWN OF WELLINGTON

ORDINANCE NO. 15-2025

AN ORDINANCE ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE, 2024 EDITION, THE INTERNATIONAL RESIDENTIAL CODE, 2024 EDITION, THE INTERNATIONAL FUEL GAS CODE, 2024 EDITION, THE INTERNATIONAL FIRE CODE, 2024 EDITION THE INTERNATIONAL PLUMBING CODE, 2024 EDITION, THE INTERNATIONAL MECHANICAL CODE, 2024 EDITION, THE INTERNATIONAL EXISTING BUILDING CODE, 2024 EDITION, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2024 EDITION, THE INTERNATIONAL SWIMMING POOL and SPA CODE, 2024 EDITION, AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2024 EDITION, PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, THE COLORADO MODEL SOLAR AND ELECTRIC READY CODE AND THE 2025 COLORADO WILDFIRE RESILIENCY CODE, VERSION 1.0.

WHEREAS, the Town of Wellington desires to adopt an ordinance repealing Ordinance No. 05-2019 and any amendments thereto and adopting by reference the International Building Code (2024 Edition); The International Residential Code for One – and Two – Family Dwellings (2024 Edition); The International Fuel Gas Code (2024 Edition); The International Plumbing Code (2024 Edition); The International Mechanical Code (2024 Edition); The International Existing Building Code (2024 Edition); The International Property Maintenance Code (2024 Edition); The International Swimming Pool and Spa Code (2024 Edition); The International Energy Conservation Code (2024 Edition), promulgated by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, with specified amendments to each.

WHEREAS, the Town of Wellington desires to adopt by reference The Colorado Model Electric Ready and Solar Ready Code, promulgated by the Colorado Department of Local Affairs, and Colorado Energy Office pursuant to HB22-1362, CRS 24-38.5-401(5).

WHEREAS, the Town of Wellington desires to adopt by reference the 2025 Colorado Wildfire Resiliency Code version 1.0 and the 2025 Colorado Wildfire Resiliency State Code Map promulgated by the Colorado Department of Public Safety and Colorado Division of Fire Prevention and Control, pursuant to SB23-166, CRS 25-33-.5-1236.

NOW, THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Wellington, Colorado as follows:

Section: 1. International Building Code. The Board of Trustees hereby repeals Article 1, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-1-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the building code of the Town, by reference thereto, the International Building Code, 2024 Edition, Chapters 1 through 35 inclusive and Appendix P, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-579, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes the comprehensive provisions and standards regulating the erection, constructions, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height,

area, and maintenance of buildings and structures for the purpose of protecting the public health, safety and general welfare.

Sec. 18-1-20. Copy on File.

At least one (1) copy of the International Building Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected, by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-1-30. Amendments.

IBC Section 101.1 IBC Section 101.1 (Title) is amended by the addition of the term "Town of Wellington" where indicated.

IBC Section 101.4.3 IBC Section 101.4.3 (Plumbing) is amended by deletion of the last sentence.

IBC Section 101.4.5 IBC Section 101.4.5 (Fire prevention) is amended by replacing "International Fire Code" with "adopted fire code".

IBC Section 101.4.6 IBC Section 101.4.6 (Energy) is amended by replacing the words "International Energy Conservation Code" to "2024 International Energy Conservation Code".

IBC Section 103.1 IBC Section 103.1 (Creation of Enforcement Agency) is amended by adding "Town of Wellington" where indicated.

IBC Section 105.2 IBC Section 105.2 (Work exempt from permit) is amended by deleting;

Exception #1 and replacing with "One-Story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and the roof height does not exceed 10 feet above grade measured from a point directly outside the exterior walls of the structure."

Exception #2 is deleted in its entirety and replaced with "Fences not over 6 feet (2134mm) high. Swimming pool barriers of any height are not exempt from permits.

Adding Exception #14 "Shingle repair or replacement work not exceeding one square (100 square feet in area) of covering per building.

IBC Section 105.5 IBC Section 105.5 (Expiration) is amended by the deletion of this section in its entirety and replaced with "Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be commenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided

further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”

IBC Section 109.4 IBC Section 109.4 (Work commencing before permit issuance) is deleted in its entirety and replaced with “Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee established by the town. The amount of the investigation fee may be in the amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being *in addition to* all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.

IBC Section 109.6 IBC Section 109.6 (Refunds) is amended by deleting the section in its entirety and replacing the section with the following:

“The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

IBC Section 111.3 IBC Section 111.3 (Temporary Occupancy) is amended by deleting the words “Building Official” and replacing with “Town of Wellington.”

IBC Section 113.1 IBC Section 113.1 (General) is amended by deleting the last two sentences and inserting the following:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Adjustment.”

IBC Section 113.3 IBC Section 113.3 (Qualifications) is amended by deleting the section in its entirety.

IBC Section 202 IBC Section 202 (Definitions) is amended by the addition of the following:

“Sleeping Room” (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IBC Section 1208 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.

IBC Section 310.4.1 IBC Section 310.4.1 (Care Facilities within a Dwelling) is amended by adding “Except as provided in C.R.S. § 26-6-104.5 (concerning family childcare homes)” as the first paragraph.

IBC Section 903.2 IBC Section 903.2 (Where required) is amended to read as follows:

“Approved automatic sprinkler systems in new and existing buildings and structures shall be

provided in the locations described in Sections 903.2.1 through 903.2.12 and 903.2.13 as amended and 903.2.14 as amended.”

IBC Section 903.2.1 903.2.1(Group A) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings as Group A occupancies as provided in this section.”

IBC Section 903.2.1.1 903.2.1.1 (Group A-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-1 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IBC Section 903.2.1.2 903.2.1.2 (Group A-2) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-2 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 5,000 ft² (464 m²).
2. The *fire area* has an occupant load of 50 or more.”

IBC Section 903.2.1.3 903.2.1.3 (Group A-3) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A- 3 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IBC Section 903.2.1.4 903.2.1.4 (Group A-4) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-4 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IBC Section 903.2.1.6 903.2.1.6 (Assembly occupancies on roofs) is amended to read as follows:

“Where an occupied roof has an assembly occupancy with an occupant load exceeding 50 for Group A occupancies, an automatic sprinkler system shall be provided throughout buildings in accordance with Section 903.3.1.1 or 903.3.1.2.

IBC Section 903.2.1.7 903.2.1.7 (Multiple fire areas) is amended to read as follows:

“An automatic sprinkler system shall be provided where multiple *fire areas* of Group A-1, A-2, A-3 or A-4 occupancies share exit or exit access components and the combined occupant load of these *fire areas* is 50 or more.”

IBC Section 903.2.2 903.2.2 (Group B) is amended to read as follows:

“An automatic sprinkler system shall be provided for Group B occupancies as follows:

1. Throughout all Group B *fire areas* greater than 6,000 ft² (557 m²) in area.
2. Where the combined *fire areas* of Group B on all floors, including mezzanines, is greater than 6,000 ft² (577 m²).”

IBC Section 903.2.2.1 903.2.2.1 (Ambulatory care facilities) is amended to read as follows:

“An automatic sprinkler system shall be installed throughout the entire building containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.”

IBC Section 903.2.3 903.2.3 (Group E) is amended to read as follows:

“An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E *fire areas* greater than 6,000 ft² (557 m²) in area.
2. The Group E *fire area* is located on a floor other than a level of exit discharge serving such occupancies.
3. The Group E *fire area* has an occupant load of 50 or more.”

IBC Section 903.2.4 903.2.4 (All Group F-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1—occupancy where one of the following conditions exists:

1. The combined area of all Group F-1 *fire areas*, including any mezzanines exceeds 6,000 ft² (557 m²).
2. A Group F-1 *fire area* is located more than two stories above grade plane.
3. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 ft² (232 m²).”

IBC Section 903.2.6 903.2.6 (Group I) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings with a Group I *fire area*.

Exceptions:

1. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.
2. An automatic sprinkler system is not required where Group I-4 daycare facilities are at the level of exit discharge and where every room where care is provided has not fewer than one exterior exit door.”

IBC Section 903.2.7 903.2.7 (Group M) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 6,000 ft² (557 m²).
2. A Group M *fire area* is located more than two stories above grade plane.”

IBC Section 903.2.9 903.2.9 (Group S-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. The combined area of all Group S 1 *fire areas* on all floors, including any mezzanines, exceeds 6,000 ft² (557 m²).
2. A Group S-1 *fire area* is located more than two stories above grade plane.
3. A Group S-1 *fire area* used for the storage of commercial motor vehicles where the *fire area* exceeds 5,000 ft² (464 m²).

4. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 ft² (46.4 m²)."

IBC Section 903.2.9.1 903.2.9.1 (Repair garages) is amended to read as follows:

"An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the International Building Code, as shown.

1. Buildings with a fire area containing a repair garage exceeding 6,000 ft² (557 m²).
2. Buildings with repair garages servicing vehicles parked in basements.
3. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 ft² (464 m²).
4. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 ft² (46.4 m²)."

IBC Section 903.2.9.2 903.2.9.2 (Bulk storage of tires) is amended to read as follows:

"Buildings and structures where the area for the storage of tires exceeds 10,000 ft³ (566 283 m³) shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1."

IBC Section 903.2.10 903.2.10 (Group S-2 enclosed parking garages) is amended to read as follows:

"An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the International Building Code where either of the following conditions exists:

1. Where the fire area of the enclosed parking garage exceeds 6,000 ft² (557 m²).
2. Where the enclosed parking garage is located beneath other groups.
Exception: Enclosed parking garages located beneath Group R 3 occupancies.
3. Where the fire area of the open parking garage exceeds 6,000 ft² (557 m²)."

IBC Section 903.2.13 Add a new section to read as follows:

"903.2.13 (Mixed Occupancies) An automatic sprinkler system shall be provided throughout all buildings containing mixed occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (577 m²).
2. Where the combined *fire areas* of mixed occupancies on all floors including mezzanines and basements is greater than 6,000 ft² (577 m²)."

IBC Section 903.2.14 Add a new section to read as follows:

"903.2.14 (Buildings constructed under the International Residential Code) An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be provided throughout all multiple (three or more) attached single-family dwellings (townhouses), complying with the requirements of the International Residential Code.

Exception:

Unless otherwise required by more restrictive local codes, policies, amendments, ordinances, or plat note."

IBC Section 903.3.1.3 903.3.1.3 (NFPA 13D sprinkler systems) is amended to read as follows:

"Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D and local codes, ordinances, and policies."

IBC Section 903.3.1.4 Add a new section to read as follows:

“903.3.1.4 (Core and shell buildings) Automatic fire sprinkler systems in buildings constructed to house future tenant spaces that are not assigned an occupancy shall have minimum hazard classification of Ordinary Hazard 2 in accordance with NFPA 13.”

IBC Section 903.4 903.4 (Sprinkler system supervision and alarms) is amended to read as follows:

“Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems valves, pumps, and tanks in one- and two family dwellings.
2. Jockey pump control valves that are sealed or locked in the open position.
3. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
4. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.”

IBC Section 915.2.1 IBC Section 915.2.1 (Dwelling units) The first paragraph is amended as follows:

“Carbon monoxide detection shall be installed in dwelling units within 15 feet of each separate sleeping area.”

IBC Section 915.2.1 IBC Section 915.2.1 (Dwelling units) The first paragraph is amended as follows:

“Carbon monoxide detection shall be installed in dwelling units within 15 feet of each separate sleeping area.”

IBC Section 1015.2 IBC Section 1015.2 (Where required) is amended by the addition of a second paragraph inserted before the exceptions as follows:

“All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914.4 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.”

IBC Section 1015.9 IBC Section 1015.9 (Below Grade Openings) Below grade openings in all R-2 and R-3 Occupancies add section to read;

“All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.

Exceptions:

1. The access side of stairways need not be protected.
2. Area and window wells provided for emergency escape and rescue windows may be protected with approved grates or covers that comply with Section R310.4 of this code.
3. Covers and grates may be used over stairways and other openings used exclusively for service access or for admitting light or ventilation.”

IBC Section 1031.2 IBC Section 1031.2 (Where required) is amended by the deletion of Exception #5.

IBC Section 1031.3.1 IBC Section 1031.3.1 (Minimum Size) is amended by the deletion of the Exception.

IBC Section 1031.5.1 IBC Section 1031.5.1 (Minimum size) is amended as follows:

"For all building permits issued after the effective date of the 1997 UBC Adoption, all escape and rescue windows requiring a window well pursuant to the International Residential Code shall comply with the dimension requirements set forth in this section, whether or not said escape or rescue window is located in a sleeping room.

With regard to building permits issued prior to the effective date of the 1997 UBC Adoption, for additions to or alterations of existing buildings or structures, any window well with a finished sill height below adjacent ground level shall be deemed in compliance with the Towns regulations if said window well meets the dimensions set forth in the 1991 Edition of the Uniform Building Code, previously in effect in the town."

IBC Section 1301.1.1 IBC Section 1301.1.1 (Criteria) is amended by replacing "International Energy Conservation Code" with the "2024 International Energy Conservation Code."

IBC Section 1507.2.1 IBC Section 1507.2.1 (Deck Requirements) is amended by adding a second sentence "Gaps in solidly sheathed or plank decking shall not exceed 1/8 inch."

IBC Section 1612.3 IBC Section 1612.3 (Establishment of flood hazard areas) is amended by the insertion of "Larimer County, Colorado and Incorporated Areas" where indicated for jurisdiction, and "December 19, 2006" where indicated for date of issuance.

IBC Section 1809.5 IBC Section 1809.5 (Frost Protection) is amended to clarify #1 "Extending below the frost line of the locality" to specifically state the frost line is 30 inches.

IBC Section 2902.2 IBC Section 2902.2 (Separate Facilities) is amended by deleting the section in its entirety and replacing the section with the following:

"Restrooms fixtures shall be provided in quantities per table 2902.1, which shall be achieved by either gender-neutral single user restrooms, or by multi-user (multi-fixture) restrooms for each sex. Gender neutral multi-user restrooms are allowed only where water closets and showers are each provided in compartments with walls or partitions and a door enclosing the fixtures to the remainder of the facility or each urinal must be located in a stall with door.

The numbers of fixtures shall be calculated based on the average number of male/female fixtures in table 2902.1

Exceptions:

#1 For mercantile occupancies in which the maximum occupant load is 100 or fewer, one gender neutral single user restroom is allowed.

#2 For buildings or tenant spaces in which the maximum occupant load is 25 or fewer, one gender neutral single user restroom is allowed."

Appendix P “Sleeping Lofts” is hereby adopted in its entirety.

Sec. 18-1-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Building Code or this Chapter.

Sec. 18-1-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directives of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 2. International Residential Code. The Board of Trustees hereby repeals Article 2, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-2-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the residential code of the Town, by reference thereto, the International Residential Code, 2024 Edition, Chapters 1 through 43 inclusive and Appendix BE, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures for the purpose of protecting the public health, safety and general welfare.

Sec. 18-2-20. Copy on file.

At least one (1) copy of the International Residential Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town’s adopted Fee Schedule.

Sec. 18-2-30. Amendments.

IRC Section R101.1 IRC Section R101.1 (Title) is amended by the addition of the term “Town of Wellington” where indicated.

IRC Section R103.1 IRC Section 103.1 (Creation of Agency) is amended by adding “Town of Wellington” where indicated.

IRC Section R105.2 IRC Section R105.2 (Work Exempt from Permit) is amended by deleting the following Exceptions:

Exception #1 and replacing with “One-Story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and the roof height does not exceed 10 feet above grade measured from a point directly outside the exterior walls of the structure.”

Exception #2 is deleted in its entirety and replaced with “Fences not over 6 feet (2134mm) high. Swimming pool barriers of any height are not exempt from permits.

Exception #10 is deleted in its entirety and replaced with “Shingle repair or replacement work not exceeding one square (100 square feet in area) of covering per building.

IRC Section 105.5 IRC Section 105.5 (Expiration) is amended by the deletion of this section in its entirety and replaced with the following:

“Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”

IRC Section R108.5 IRC Section R108.5 (Refunds) is amended by deleting the section in its entirety and replacing the section with the following:

“The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

IRC Section R108.6 IRC Section R108.6 (Work commencing before permit issuance) is amended by deleting the section in its entirety and replacing the section with the following:

“Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to the fee schedule adopted by the Town of Wellington.”

IRC Section R112.1 IRC Section R112.1 (General) is amended by deleting the last three sentences and inserting the following:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Adjustment.”

IRC Section R112.3 IRC Section R112.3 (Qualifications) is amended by deleting this section in its entirety.

IRC Section R202 IRC Section R202 (Definitions) is amended by addition of the following:

“Sleeping Room” (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IRC Sections R312 and R313 and contains a

closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.

IRC Table R301.2 (1) IRC Table R301.2 (1) is established as following:

TABLE R301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA												
GROUND SNOW LOAD *	WIND DESIGNS				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARD	AIR FREEZING INDEX	MEAN ANNUAL TEMP
35 PSF	Speed* (MPH)	Topographic effects	Special wind region	Windborne Debris	B	Weathering	Frost Depth	Termite	Yes	**	1,000	45°F
	115	No	Yes	No		Severe	30 Inches	Slight to Moderate				
*The design ground snow load pg. shall 35 psf for the Town of Wellington per the Colorado Design Snow Loads, published by the Structural Engineers Association of Colorado (dated April 2016.) The design roof snow load values shall be determined from Chapter 7, ASCE 7, including all the applicable factors, and loading and drifting consideration. In no case shall the final design roof snow load be less than a uniformity distributed load of 30 psf. Alternatively, the basic design wind speed, V, in mph, for the determination of wind speed may comply with the Colorado Front Range Gust Map – ASCE 7 compatible, published by the Structural Engineers Associations of Colorado (dated November 18th, 2013).												
** The Flood Insurance Study for 4 maps, 08069C0759F, 08069C0778F, 08069C0767F, 08069C0786F all effective 12/19/2006. Amendments are dated: 2/04/2013 and 1/29/2025.												

MANUAL J DESIGN CRITERIA* SITE SPECIFIC						
ELEVATION	ALTITUDE CORRECTION FACTOR*	COINCIDENT WET BULB	INDOOR WINTER DESIGN DRY-BULB TEMPERATURE	INDOOR WINTER DESIGN DRY-BULB TEMPERATURE	OUTDOOR WINTER DESIGN DRY-BULB TEMPERATURE	HEATING TEMPERATURE DIFFERENCE
5200		62	72	72	6	66
LATITUDE	DAILY RANGE	INDOOR SUMMER DESIGN RELATIVE HUMIDITY	INDOOR WINTER DESIGN RELATIVE HUMIDITY	INDOOR SUMMER DESIGN DRYBULB TEMPERATURE	OUTDOOR SUMMER DESIGN DRY-BULB TEMPERATURE	COOLING TEMPERATURE DIFFERENCE
40.70	High	50	30	75	91	16

IRC Section R309.2 IRC Section R309.2 (One-two family dwellings automatic fire sprinklers) is amended by the deletion of this section in its entirety.

IRC Section 310.4.1 IBC Section 310.4.1 (Care Facilities within a Dwelling) is amended by adding “Except as in provided in C.R.S. § 26-6-104.5 (concerning family childcare homes)” as the first paragraph.

IRC Section 311.3 IRC Section 311.3 (Location) is amended by addition to the first paragraph as follows:
“Carbon monoxide detection shall be installed in dwelling units within 15 feet of each separate sleeping area.”

IRC Section R319.1 IRC Section R319.1 (Emergency Escape and Rescue Openings) is amended by the deletion of the first paragraph and replaced with “All windows located in basements, and not less than one, in habitable attics and sleeping rooms shall meet all the requirements of section R319.1 through R319.2.”

Exception #3 is deleted in its entirety.

IRC Section R319.2.1 IRC Section R319.2.1 (Minimum size) is amended by the deletion of the exception.

IRC Section R319.4 IRC Section R319.4 (Area wells) is amended by the addition of the following:
"For all building permits issued after the effective date of the 1997 UBC Adoption, all escape and rescue windows requiring a window well pursuant to the International Residential Code shall comply with the dimension requirements set forth in this section, whether or not said escape or rescue window is located in a sleeping room.

With regard to building permits issued prior to the effective date of the 1997 UBC Adoption, for additions to or alterations of existing buildings or structures, any window well with a finished sill height below adjacent ground level shall be deemed in compliance with the Towns regulations if said

window well meets the dimensions set forth in the 1991 Edition of the Uniform Building Code, previously in effect in the town."

IRC Section R319.4.2 IRC Section R319.4.2 (Ladder and steps) is amended by the addition of the following exception to read as follows:

"Exception: Only one window well ladder shall be required in an unfinished basement."

IRC Section R401.2 IRC Section R401.2 (Requirements) is amended by the addition of the following:

"All for new Group R, one and two family dwellings, and townhomes shall be designed and the construction drawings stamped by a Colorado registered design professional. The foundation design must be based on an engineer's soils report. The drawings must be noted with the engineering firm's name, specific location for design and soils report number. A site certification prepared by State of Colorado registered design professional is required for setback verification on all new Group R Division 3 occupancies."

IRC Section R405.1 IRC Section R405.1 (Concrete or masonry foundations) is amended with the addition of the following after the first sentence:

"All foundation drains shall be designed and inspected by a State of Colorado registered design professional."

IRC Section R502.6. IRC Section R502.6 (Bearing) is amended to read as follows:

"The ends of each joist, beam or girder shall have not less than 1 1/2 inches (38 mm) of bearing on wood or metal, have not less than 3 inches of bearing (76 mm) on masonry or concrete or be supported by *approved* joist hangers. Alternatively, the ends of joists shall be supported on a 1-inch by 4-inch (25 mm by 102 mm) ribbon strip and shall be nailed to the adjacent stud. The bearing on masonry or concrete shall be direct, or a sill plate of 2-inch-minimum (51mm) nominal thickness shall be provided under the joist, beam or girder, or a maximum of 2-inch solid steel shims with a minimum thickness each of 1 inch (25.4 mm) shall be provided under the joist, beam or girder." Individual shims shall not be stacked greater than 1/4 inch under any single beam. Wood shims shall NOT be allowed. The sill plate shall provide a minimum nominal bearing area of 48 *square* inches (30 865 mm²) or as otherwise engineered."

IRC Section M1502.4.6 IRC Section M1502.4.6 (Duct Length) is amended to "the maximum allowable exhaust duct length shall be determined by section M1502.4.6.1."

IRC Section M1502. 4.6.2. IRC Section M1502.4.6.2. (Manufacturer's instructions) is amended by the deletion of this section in its entirety.

IRC Section M1502. 4.6.3. IRC Section M1502. 4.6.3. (Dryer exhaust duct power ventilator) is amended by the deletion of this section in its entirety.

IRC Section M1502. 4.7. IRC Section M1502. 4.7. (Length identification) is amended by the deletion of this section in its entirety.

IRC Section M1502. 4.8. IRC Section M1502. 4.8. (Exhaust duct required) is amended by the deletion of this section in its entirety.

IRC Section G2415.12 IRC Section G2415.12 (Minimum burial depth) is amended by the addition of the following:

“All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.”

IRC Section G2415.12.1 IRC Section G2415.12.1 (Individual outside appliances) is deleted in its entirety.

IRC Section G2417.4.1 IRC Section G2417.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.

IRC Section G2417.4.2 IRC Section G2417.4.2 (Test Duration) is amended by replacing “10 Minutes” with “15 Minutes.”

IRC Section P2503.5.1 IRC Section P2503.5.1 (Rough plumbing) is amended by deleting the first paragraph and replacing with “DWV systems shall be tested on completion of the rough piping installation by water or air with no evidence of leakage.”

IRC Section P2603.5.1 IRC Section P2603.5.1 (Sewer depth) is amended by filling in both areas where indicated to read “12 inches (305 mm)”.

IRC Section P2503.6 IRC Section P2503.6 (Shower Liner Test) is deleted in its entirety.

IRC Section P2913 IRC Section P2913 (Reclaimed Water systems) is amended by deletion of this section in its entirety and replaced with the following:

“Town of Wellington prohibits the installation of greywater treatments works and the use of all greywater pursuant to C.R.S. 25-8-205.4 (2)(a)(I).”

IRC Section R2913 IRC Section R3009 (Greywater Soil Absorption Systems) is amended by deleting this section in its entirety.

IRC Section P3103.1 IRC Section P3103.1 (Roof extension) is amended by replacing the words “6 inches” with “12 inches”.

IRC Appendix BE IRC Appendix BE (Radon Control Methods) is deleted in its entirety, and amended as follows:

BE103.5 Passive submembrane depressurization system.

In *buildings* with *crawl space* foundations, the following components of a passive *submembrane depressurization system* shall be installed during construction.

Exception: *Buildings* in which an *approved mechanical crawl space ventilation system* or other equivalent system is installed.

BE103.5.1 Ventilation.

Crawl spaces shall be provided with vents to the exterior of the *building*. The minimum net area of ventilation openings shall comply with Section R408.1.

BE103.5.2 Soil-gas-retarder.

The soil in *crawl spaces* shall be covered with a continuous layer of minimum 6-mil (0.15 mm) polyethylene *soil-gas-retarder*. The ground cover shall be lapped not less than 12 inches (305 mm) at joints and shall extend to all foundation walls enclosing the *crawl space* area.

BE103.5.3 Vent pipe.

A plumbing tee or other *approved* connection shall be inserted horizontally beneath the sheeting and connected to a 3- or 4-inch-diameter (76 or 102 mm) fitting with a vertical vent pipe installed through the sheeting.

BE103.6 Passive subslab depressurization system.

In *basement* or slab-on-grade buildings, the following components of a passive *subslab depressurization system* shall be installed during construction.

BE103.6.1 Vent pipe.

A minimum 3-inch-diameter (76 mm) ABS, PVC or equivalent gastight pipe shall be embedded horizontally into the subslab aggregate or other permeable material before the slab is cast. A “T” fitting or equivalent method shall be used to ensure that the pipe opening remains within the subslab permeable material and extend and terminate above the slab a minimum of 6 inches.

Sec. 18-2-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Residential Code or this Chapter.

Sec. 18-2-50 . Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 3. International Plumbing Code. The Board of Trustees hereby repeals Article 3, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-3-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the plumbing code of the Town, by reference thereto, the International Plumbing Code, 2024 Edition, Chapters 1 through 13 inclusive, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The purpose of said code is to protect the health and sanitation of the residents of the Town by providing comprehensive regulations governing materials, installation methods and other matters pertaining to plumbing for the purpose of protecting the public health, safety and general welfare.

Sec. 18-3-20. Copy on file.

At least one (1) copy of the International Plumbing Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town’s adopted Fee Schedule.

Sec. 18-3-30. Amendments.

IPC Section 101.1 IPC Section 101.1 (Title) is amended by the addition of the term “Town of Wellington” where indicated.

IPC Section 103.1 IPC Section 103.1 (Creation of Agency) is amended by adding “Town of Wellington” where indicated.

IPC Section 305.4.1 IPC Section 305.4.1 (Sewer depth) is amended by filling in both areas where indicated to read “12 inches (305 mm)”.

IPC Section 312.3 IPC Section 312.3 (Drainage and vent air test) is amended by deleting the first paragraph.

IPC Section 903.1.1 IPC Section 903.1.1 (Roof extension unprotected) is amended by inserting the number “12” (152.4 mm) where indicated.

IPC Section 1304 IPC Section 1304 (Reclaimed Water Systems) is amended by deletion of this section in its entirety and replaced with the following:

“The Town of Wellington prohibits the installation of greywater treatments works and the use of all greywater pursuant to C.R.S. 25-8-205.4 (2)(a)(I).”

Sec. 18-3-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Plumbing Code or this Chapter.

Sec. 18-3-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 4. International Mechanical Code. The Board of Trustees hereby repeals Article 4, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-4-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the mechanical code of the Town, by reference thereto, the International Mechanical Code, 2024 Edition, Chapters 1 through 15 inclusive, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The purpose and subject matter of the adopted code is to include comprehensive provisions and standards relating to the mechanical installations in or in connection with the construction, erection, installation, alteration, repair, relocation, replacement, addition to, maintenance or use of heating, ventilating, cooling and refrigeration systems, incinerators and other miscellaneous heatproducing appliances within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-4-20. Copy on file.

At least one (1) copy of the International Mechanical Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-4-30. Amendments.

IMC Section 101.1 IMC Section 101.1 (Title) is amended by the addition of the term "Town of Wellington" where indicated.

IMC Section 103.1 IMC Section 103.1 (Creation of Agency) is amended by adding "Town of Wellington" where indicated.

Sec. 18-4-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Mechanical Code or this Chapter.

Sec. 18-4-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 5. International Fuel Gas Code. The Board of Trustees hereby repeals Article 5, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-5-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the fuel gas code of the Town, by reference thereto, the International Fuel Gas Code, 2024 Edition, Chapters 1 through 8 inclusive, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code establishes minimum regulations for fuel gas systems and gas-fired appliances for the purpose of protecting the public health, safety and general welfare.

Sec. 18-5-20. Copy on file.

At least one (1) copy of the International Fuel Gas Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-5-30. Amendments.

IFGC Section 101.1 IFGC Section 101.1 (Title) is amended by the addition of the term "Town of Wellington" where indicated.

IFGC Section 103.1 IFGC Section 103.1 (Creation of Agency) is amended by adding “Town of Wellington” where indicated.

IFGC Section 404.12 IFGC Section 404.12 (Minimum burial depth) is amended by the addition of the following:

“All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.”

IFGC Section 404.12.1 IFGC Section 404.12.1 (Individual Outdoor appliances) is amended to read as follows:

“Individual lines to outdoor lights, grills and other appliances shall be installed not less than 18 inches (457 mm) below finished grade, provided that such installation is approved and is installed in locations not susceptible to physical damage.”

IFGC Section 406.4.1 IFGC Section 406.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.

IFGC Section 406.4.2 IFGC Section 406.4.2 (Test duration) is amended by changing the second paragraph to read as follows:

“When testing a system having a volume less than 10 cubic feet or a system in a single-family dwelling, the test duration shall be not less than 15 minutes.”

Sec. 18-5-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Fuel Gas Code or this Chapter.

Sec. 18-5-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 6. International Fire Code. The Board of Trustees hereby repeals Article 7, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-7-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the fire code of the Town, by reference thereto, the International Fire Code, 2024 Edition, Chapters 1 through 80 inclusive, and Appendices A-I, inclusive with amendments, and Appendices N and O, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The purpose and subject matter of the adopted code is to establish standards for the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises and conditions affecting the safety of firefighters and emergency responders during emergency operations.

Sec. 18-7-20. Copy on file.

At least one (1) copy of the International Fire Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-7-30. Amendments.

IFC Section 101.1 IFC Section 101.1 (Title) is amended to read as follows:

"These regulations shall be known as the Fire Code of the Town of Wellington, hereinafter referred to as "this code."

IFC Section 101.2.1 IFC Section 101.2.1 (Appendices) is amended to read as follows:

"Provisions in the appendices shall not apply unless specifically adopted. Appendices shall hereby be adopted as outlined in Table 101.2.1:

Table 101.2.1- Appendices Adoption Status		
APPENDIX	TITLE	STATUS
A	Board of Appeals	Adopted
B	Fire-flow Requirements for Buildings	Adopted, with amendments
C	Fire Hydrant Locations and Distribution	Adopted, with amendments
D	Fire Apparatus Access Roads	Adopted, with amendments
E	Hazard Categories	Adopted
F	Hazard Ranking	Adopted
G	Cryogenic Fluids—Weights and Volume Equivalents	Adopted
H	Hazardous Materials Management Plan (HMMP)	Adopted
I	Fire Protection Systems—Non-compliant Conditions	Adopted
J	Building Information Sign	Not Adopted
K	Construction Requirements for Existing Ambulatory Care Facilities	Not Adopted
L	Requirements for Fire Fighter Air Replenishment Systems	Not Adopted
M	High-rise Buildings—Retroactive Automatic Sprinkler Requirements	Not Adopted
N	Indoor Trade Shows and Exhibitions	Adopted
O	Valet Trash And Recycling Collection In Group R-2 Occupancies	Adopted

IFC Section 102.13 add a new section to read as follows:

"IFC Section 102.13 (Wildland-urban interface areas) The design and construction of new structures located within wildland-urban interface areas shall comply with the *2025 Colorado Wildfire Resiliency Code version 1.0.*"

IFC Section 103.1 IFC Section 103.1 (Creation of agency) is amended to read as follows:

“The Wellington Fire Protection District is hereby created and the official in charge thereof shall be known as the *fire code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.”

IFC Section 104.8 IFC Section 104.8 (Liability) is amended to read as follows:

“The fire code official, member of the board of appeals, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or a mission or by reason of an act or mission in the discharge of official duties, unless such act or a mission is willful and wanton, as provided in the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S.”

IFC Section 104.8.1 IFC Section 104.8.1 (Legal defense) is amended to read as follows:

“Any suit or criminal complaint instituted against any officer or employee because of an act or mission performed by the officer or employee in the lawful discharge of duties under the provisions of this code, unless such act or a mission is willful and wanton, as provided in the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S. Shall be defended by a legal representative of the jurisdiction until the final termination of the proceedings. The fire code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code: and any officer of the department of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of act or omission in the performance of official duties in connection therewith.”

IFC Section 112.1 IFC Section 112.1 (Board of Appeals) is amended by deleting the last three sentences and inserting the following:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Adjustment.”

IFC Section 112.1.1 IFC Section 112.1.1 (Procedures) is amended to read as follows:

“To request a hearing before the board of appeals, the applicant shall file a request in writing to the fire chief. The fire chief shall arrange for the board of appeals to meet within ten (10) working days from the receipt of the request. All applicable fees as stated in the fire district fee schedule shall be paid at the time the written request is made.”

IFC Section 113.4 IFC Section 113.4 (Violation penalties) is deleted in its entirety.

IFC Section 307.2.2 IFC Section 307.2.2 (Time and Atmospheric Restrictions) is amended to read as follows:

“Open burning shall only be performed when time and atmospheric conditions comply with the limits set forth in the Open Burning Permit.”

IFC Section 307.4.1 IFC Section 307.4.1 (Bonfires) is amended to read as follows:

“A *bonfire* shall not be conducted within 100 ft (30m) of a structure or combustible material unless

the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 100 ft (30m) of a structure shall be eliminated prior to ignition.”

IFC Section 307.4.1.1 Add a new section to read as follows:

“IFC Section 307.4.1.1 (Bonfire size) The fuel package pile for a *bonfire* must be approved prior to ignition and shall not exceed 10 feet in diameter in 8 feet in height unless approved by the *fire code official*. Based on atmospheric conditions, location, adjacent structures, combustible materials or wildland fire danger rating, smaller fuel package piles may be required. Fuels for a bonfire shall be clean, dry, untreated wood products only. Fuel shall not be added to the bonfire once it is ignited without prior approval of the *fire code official*. The use of Class I flammable liquids is prohibited. Class II combustible liquids may only be used prior to ignition and only in accordance with an approved ignition plan.”

IFC Section 307.4.3 IFC Section 307.4.3 (Outdoor Fireplaces) is amended to read as follows:

“Outdoor fireplaces shall be used in accordance with the manufacturer's instructions. Outdoor fireplaces shall not be placed closer to combustibles than stated in the manufacturer's instructions and if the manufacturer's instructions are not available, or do not establish a distance, they shall not be operated within 15 feet of a structure or combustible material. Outdoor fireplaces shall not be operated underneath a structure of any type.”

IFC Section 308.1.7 IFC Section 308.1.7 (Sky lanterns) is amended to read as follows:

“A person shall not release or cause to be released a tethered or an untethered sky lantern.”

IFC Section 503.1 IFC Section 503.1 (Where required) is amended to read as follows:

“Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1 through 503.1.3 and Appendix D “Fire Apparatus Access Roads.”

IFC Section 503.2 IFC Section 503.2 (Specifications) is amended to read as follows:

“Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and Appendix D “Fire Apparatus Access Roads.”

IFC Section 503.2.1 IFC Section 503.2.1 (Dimensions) is amended to read as follows:

“Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 14 feet.”

IFC Section 507.5 IFC Section 507.5 (Fire hydrant systems) is amended to read as follows:

“Fire hydrant systems shall comply with sections 507.5.1 through 507.5.6 and Appendix C.”

IFC Section 606.5 IFC Section 606.5 (Solid-fuel fired appliances) is amended to read as follows:

“Solid fuel commercial cooking appliances shall comply with applicable provisions of NFPA 96.”

IFC Section 701.2.2 Add a new section to read as follows:

“IFC Section 701.2.2 (Fire-resistance-rated labeling) The fire resistance rating of the construction identified in Section 701.2 shall be marked in an approved manner on the fire resistance rated construction feature.”

IFC Section 701.3.1 Add a new section to read as follows:

“IFC Section 701.3.1 (Smoke barriers labeling) The smoke-resistant characteristics of smoke barriers shall be marked in an approved manner on the smoke barrier rated construction feature.”

IFC Section 903.2 IFC Section 903.2 (Where required) is amended to read as follows:

“Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12 and 903.2.13 as amended and 903.2.14 as amended.”

IFC Section 903.2.1 IFC Section 903.2.1(Group A) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings as Group A occupancies as provided in this section.”

IFC Section 903.2.1.1 IFC Section 903.2.1.1 (Group A-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-1 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IFC Section 903.2.1.2 IFC Section 903.2.1.2 (Group A-2) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-2 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 5,000 ft² (464 m²).
2. The *fire area* has an occupant load of 50 or more.”

IFC Section 903.2.1.3 IFC Section 903.2.1.3 (Group A-3) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-3 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IFC Section 903.2.1.4 IFC Section 903.2.1.4 (Group A-4) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-4 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IFC Section 903.2.1.6 IFC Section 903.2.1.6 (Assembly occupancies on roofs) is amended to read as follows:

“Where an occupied roof has an assembly occupancy with an occupant load exceeding 50 for Group A occupancies, an automatic sprinkler system shall be provided throughout buildings in accordance with Section 903.3.1.1 or 903.3.1.2.

IFC Section 903.2.1.7 IFC Section 903.2.1.7 (Multiple fire areas) is amended to read as follows:

“An automatic sprinkler system shall be provided where multiple *fire areas* of Group A-1, A-2, A-3 or A-4 occupancies share exit or exit access components and the combined occupant load of these *fire areas* is 50 or more.”

IFC Section 903.2.2 IFC Section 903.2.2 (Group B) is amended to read as follows:

“An automatic sprinkler system shall be provided for Group B occupancies as follows:

1. Throughout all Group B *fire areas* greater than 6,000 ft² (557 m²) in area.
2. Where the combined *fire areas* of Group B on all floors, including mezzanines, is greater than 6,000 ft² (577 m²).”

IFC Section 903.2.2.1 IFC Section 903.2.2.1 (Ambulatory care facilities) is amended to read as follows:

“An automatic sprinkler system shall be installed throughout the entire building containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.”

IFC Section 903.2.3 IFC Section 903.2.3 (Group E) is amended to read as follows:

“An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E *fire areas* greater than 6,000 ft² (557 m²) in area.
2. The Group E *fire area* is located on a floor other than a level of exit discharge serving such occupancies.
3. The Group E *fire area* has an occupant load of 50 or more.”

IFC Section 903.2.4 IFC Section 903.2.4 (All Group F-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1—occupancy where one of the following conditions exists:

1. The combined area of all Group F-1 *fire areas*, including any mezzanines exceeds 6,000 ft² (557 m²).
2. A Group F-1 *fire area* is located more than two stories above grade plane.
3. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 ft² (232 m²).”

IFC Section 903.2.6 IFC Section 903.2.6 (Group I) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings with a Group I *fire area*.

Exceptions:

1. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.
2. An automatic sprinkler system is not required where Group I-4 daycare facilities are at the level of exit discharge and where every room where care is provided has not fewer than one exterior exit door.”

IFC Section 903.2.7 IFC Section 903.2.7 (Group M) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 6,000 ft² (557 m²).
2. A Group M *fire area* is located more than two stories above grade plane.”

IFC Section 903.2.9 IFC Section 903.2.9(Group S-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. The combined area of all Group S 1 fire areas on all floors, including any mezzanines, exceeds 6,000 ft²(557 m²).
2. A Group S-1 *fire area* is located more than two stories above grade plane.
3. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 ft² (464 m²).
4. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 ft² (46.4 m²)."

IFC Section 903.2.9.1 IFC Section 903.2.9.1 (Repair garages) is amended to read as follows:

"An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the International Building Code, as shown.

1. Buildings with a fire area containing a repair garage exceeding 6,000 ft² (557 m²).
2. Buildings with repair garages servicing vehicles parked in basements.
3. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 ft² (464 m²).
4. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 ft² (46.4 m²)."

IFC Section 903.2.9.2 IFC Section 903.2.9.2 (Bulk storage of tires) is amended to read as follows:

"Buildings and structures where the area for the storage of tires exceeds 10,000 ft³ (566 283 m³) shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1."

IFC Section 903.2.10 IFC Section 903.2.10 (Group S-2 enclosed parking garages) is amended to read as follows:

"An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the International Building Code where either of the following conditions exists:

1. Where the fire area of the enclosed parking garage exceeds 6,000 ft² (557 m²).
2. Where the enclosed parking garage is located beneath other groups.
Exception: Enclosed parking garages located beneath Group R 3 occupancies.
3. Where the fire area of the open parking garage exceeds 6,000 ft² (557 m²)."

IFC Section 903.2.13 Add a new section to read as follows:

"IFC Section 903.2.13 (Mixed Occupancies) An automatic sprinkler system shall be provided throughout all buildings containing mixed occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (577 m²).
2. Where the combined *fire areas* of mixed occupancies on all floors including mezzanines and basements is greater than 6,000 ft² (577 m²)."

IFC Section 903.2.14 Add a new section to read as follows:

"IFC Section 903.2.14 (Buildings constructed under the International Residential Code) An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be provided throughout all multiple (three or more) attached single-family dwellings (townhouses), complying with the requirements of the International Residential Code.

Exception:

Unless otherwise required by more restrictive local codes, policies, amendments, ordinances, or plat note.”

IFC Section 903.3.1.3 IFC Section 903.3.1.3 (NFPA 13D sprinkler systems) is amended to read as follows:

“Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D and local codes, ordinances, and policies.”

IFC Section 903.3.1.4 Add a new section to read as follows:

“IFC Section 903.3.1.4 (Core and shell buildings) Automatic fire sprinkler systems in buildings constructed to house future tenant spaces that are not assigned an occupancy shall have minimum hazard classification of Ordinary Hazard 2 in accordance with NFPA 13.”

IFC Section 903.4 IFC Section 903.4 (Sprinkler system supervision and alarms) is amended to read as follows:

“Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems valves, pumps, and tanks in one- and two family dwellings.
2. Jockey pump control valves that are sealed or locked in the open position.
3. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
4. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.”

IFC Section 907.8.5 Add a new section to read as follows:

“IFC Section 907.8.5 (Excessive fire alarms) An excessive number of false alarms shall be defined as two (2) alarm activations for a fire alarm system within a 60-day period provided that any such activations are not the result of a cause reasonably beyond the control of the owner, tenant or operator of the building. In the event of an excessive number of false alarms, the fire code official may order the building owner, tenant or operator of the building, or party responsible for the building to take reasonable actions necessary to prevent false alarms. These actions may include repair or replacement of the faulty alarm components, addition of tamper proof devices, modification of system design, and repair of other building components which affect alarm system performance. The fire code official may also require the building owner, tenant or operator or party responsible for the building to obtain an approved maintenance contract with a qualified fire alarm maintenance technician as required by NFPA 72 to provide continuous maintenance service of the system.”

IFC Section 1103.5.3 IFC Section 1103.5.3 (Group I-2, Condition 2) is amended to read as follows:

“In addition to the requirements of Section 1103.5.2, existing buildings of Group I-2, Condition 2 occupancy shall be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1. The automatic sprinkler system shall be installed as established by the adopting ordinance. System to be installed as directed by the *fire code official*.”

IFC Section 1103.5.5 IFC Section 1103.5.5 (Additions and alterations to existing buildings) is amended to read as follows:

“Existing buildings constructed prior to adoption of this code, with a fire area exceeding 6,000 square feet (577 m²), undergoing additions, alterations or remodel work shall be evaluated under the International Fire Code, for the need for additional fire protection. Portions of buildings separated by approved fire walls as outlined in Chapter 7, Section 707 of the 2012 edition of the International Building Code may be considered as separate buildings.”

IFC Section 1103.5.5.1 Add a new section to read as follows:

“IFC Section 1103.5.5.1 Existing buildings with a fire area not exceeding 6,000 sq. ft. (577 m²). An automatic sprinkler system shall be provided throughout a building undergoing an addition and/or alteration work whose new aggregate fire area of the building exceeds 5,000 square feet (464 m²).”

IFC Section 1103.5.5.2 Add a new section to read as follows:

“IFC Section 1103.5.5.2 Existing buildings with a fire area exceeding 6,000 sq. ft. (577 m²). An automatic sprinkler system shall be provided throughout a building undergoing addition work that increases the fire area of the existing building.”

IFC Section 1103.5.5.3 Add a new section to read as follows:

“IFC Section 1103.5.5.3 Alterations to existing buildings with a fire area exceeding 6,000 sq. ft. (577 m²). An automatic sprinkler system shall be provided throughout a building when the area undergoing alterations equals or exceeds 50% of the aggregate fire area of the building. Exception: Alterations limited to the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using the same materials, elements, equipment or fixtures that serve the same purpose.”

IFC Section 5704.2.9.6.1 IFC Section 5704.2.9.6.1 (Locations where above ground tanks are prohibited) is amended to read as follows:

“Storage of Class I and II liquids in above ground tanks in said buildings is prohibited in accordance with local land use code.”

IFC Section 5704.3.3 IFC Section 5704.3.3 (Indoor storage) is amended to read as follows:

“Storage of flammable and combustible liquid inside buildings in containers or portable tank shall be in accordance with sections 5704.4.4.1 through 5704.3.3.10 unless otherwise required by more restrictive local codes, policies, amendments, ordinances, or plat.”

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IFC Appendix B is deleted in its entirety and readopted to read as follows:

APPENDIX B

FIRE-FLOW REQUIREMENTS FOR BUILDINGS

SECTION B101 GENERAL

B101.1 Scope. The procedure for determining fire-flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this appendix. This appendix does not apply to structures other than buildings.

SECTION B102 DEFINITIONS

B102.1 Definitions. For the purpose of this appendix, certain terms are defined as follows.

FIRE-FLOW. The flow rate of a water supply, measured at 20 pounds per square inch (psi) (138 kPa) residual pressure, that is available for firefighting.

FIRE-FLOW CALCULATION AREA The floor area, in square feet (m²), used to determine the required fire flow.

SECTION B103 MODIFICATIONS

B103.1 Decreases. The fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical.

B103.2 Increases. The fire chief is authorized to increase the fire-flow requirements where conditions indicate an unusual susceptibility to group fires or conflagrations. An increase shall not be more than twice that required for the building under consideration

B103.3 Areas without water supply systems. For information regarding water supplies for fire-fighting purposes in rural and suburban areas in which adequate and reliable water supply systems do not exist, the fire code official is authorized to utilize NFPA 1142 or the *International Wildland- Urban Interface Code*.

SECTION B104 FIRE-FLOW CALCULATION AREA

B104.1 General. The fire-flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, except as modified in Section B104.3.

B104.2 Area separation. Portions of buildings which are separated by fire walls without openings, constructed in accordance with the International Building Code, are allowed to be considered as separate fire-flow calculation areas.

B104.3 Type 1A and Type 1B construction. The fire-flow calculation area of buildings constructed of Type 1A and Type 1B construction shall be the area of the three largest successive floors.

Exception:

Fire-flow calculation area for open parking garages shall be determined by the area of the largest floor.

SECTION B105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS

B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two- family dwellings shall be 1,000 gallons per minute in urban areas and 500 gallons per minute in rural areas.

Exception:

A reduction in required fire flow of 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system.

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105

Table B105

APPLICATION	FIRE FLOW REQUIREMENTS (gpm)	SPACING BETWEEN HYDRANTS (feet) ^{a,b,c}	MAXIMUM DISTANCE FROM THE CLOSEST POINT ON A BUILDING TO A HYDRANT (feet) ^e
Commercial/ Multifamily	1,500	600	300 ^d
One- & Two- Family Dwelling - Urban	1,000	800	400
One- & Two- Family Dwelling - Rural	500	800	400

- a) Reduce by 100 feet for dead-end streets or roads
- b) Where streets are provided with median dividers that cannot be crossed by fire fighters pulling hose lines, or are arterial streets, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis.
- c) Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards
- d) For buildings equipped with a standpipe, see Section 507.5.1.1.

B105. Water supply for buildings equipped with an automatic sprinkler system. For buildings equipped with an approved automatic sprinkler system, the water supply shall be capable of providing the greater of:

1. The automatic sprinkler system demand, including hose stream allowance.
2. The required fire-flow.

IFC Appendix C is deleted in its entirety and readopted to read as follows:

APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION

SECTION C101 GENERAL

C101.1 Scope. Fire hydrants shall be provided in accordance with this appendix for the protection of buildings, or portions of buildings, hereafter constructed or moved into the jurisdiction.

SECTION C102 LOCATION

C102.1 Fire hydrant locations. Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets.

SECTION C103 NUMBER OF FIRE HYDRANTS

C103.1 Fire hydrants available. The number of fire hydrants available to a complex or subdivision shall not be less than that determined by spacing requirements listed in Table B105 when applied to fire apparatus access roads and perimeter public streets from which fire operations could be conducted

SECTION C104 CONSIDERATION OF EXISTING FIRE HYDRANTS

C104.1 Existing fire hydrants. Existing fire hydrants on public streets are allowed to be considered as available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads

SECTION C105 DISTRIBUTION OF FIRE HYDRANTS

C105.1 Hydrant spacing. The average spacing between fire hydrants shall not exceed that listed in Table B105. Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building are within the distances listed in Table B105.

Exception:

The fire chief is authorized to accept a deficiency of up to 10 percent where existing fire hydrants provide all or a portion of the required fire hydrant service.

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IFC Appendix D is deleted in its entirety and readopted to read as follows:

APPENDIX D FIRE APPARATUS ACCESS ROADS

SECTION D101 GENERAL

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the International Fire Code.

SECTION D102 REQUIRED ACCESS

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 80,000 pounds (36,287 kg).

D102.2 Access road construction. All access roadways must be all weather driving surfaces capable of supporting fire apparatus. Surface shall be asphalt, concrete, or compacted road base and engineered for the imposed loads

D102.2.1 Temporary emergency access. Compacted road base or chip shall only be used for a temporary emergency access. Temporary access shall be available as long as the site is under construction. Thereafter permanent fire lanes shall be accessible and unobstructed at all times.

D102.2.2 Permanent emergency access. All permanent points of access shall be hard decks consisting of asphalt or concrete designed to HS 20 or support 40 tons (36,287 kg). Compacted road base or other surfaces engineered and capable of supporting the imposed loads may be approved for ground mounted solar installations, cell towers and similar isolated facilities and structures when approved by the fire code official.

D102.2.2 Installation timing. All required access roads must be installed and serviceable before aboveground construction begins.

SECTION D103 MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7,925 mm) exclusive of shoulders

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. Exception: Grades steeper than 10 percent as approved by the fire code official. (See section D105.5 for aerial fire apparatus access roads.)

D103.3 Turning radius. The minimum turning radius shall be 25 feet inside radius and 50 feet outside radius

D103.4 Angle of Approach/Departure. Grade changes upon a Fire Apparatus Access Road or when entering or exiting from or to a Fire Apparatus Access Road shall not exceed a 10 percent Angle of Approach or Angle of Departure.

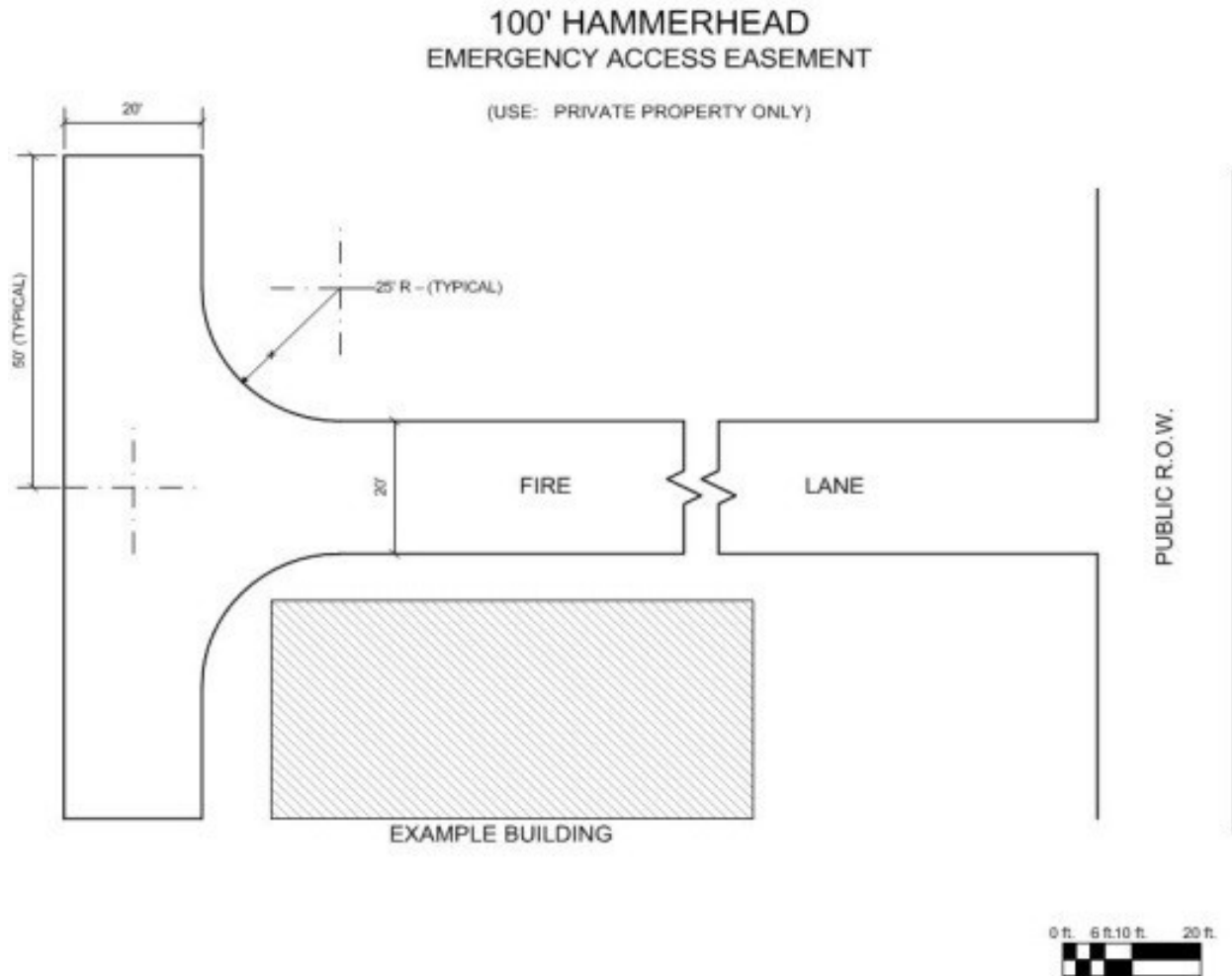


Figure D103.1

**100' DIAMETER
CUL-DE-SAC**
FOR USE ON PUBLIC OR PRIVATE PROPERTY

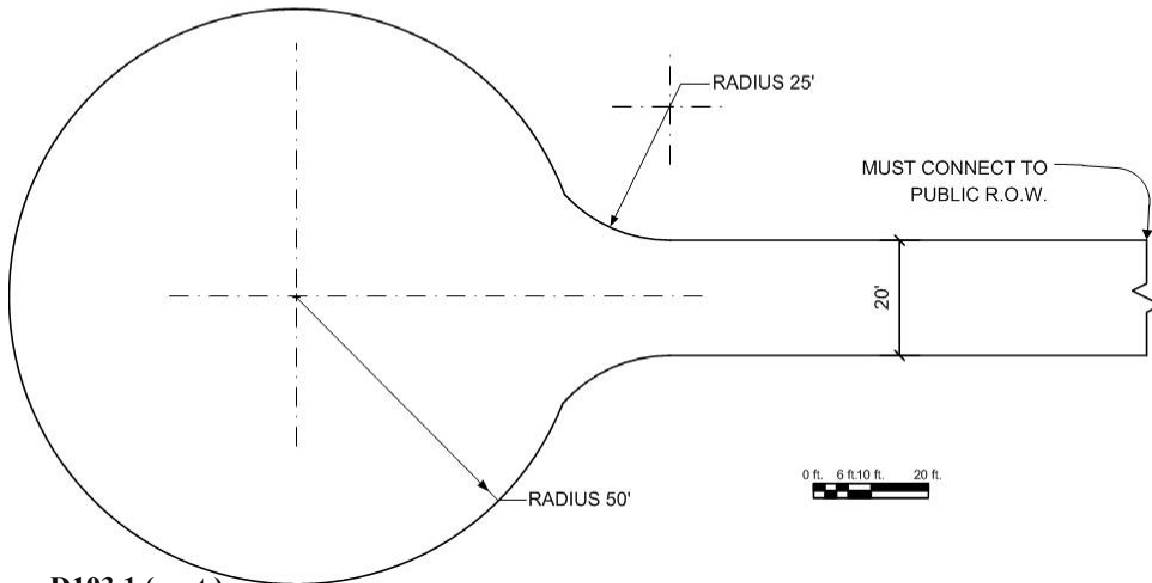


Figure D103.1 (cont.)

**ALTERNATIVE HAMMERHEAD
EMERGENCY ACCESS EASEMENT
(FIRE LANE)**
USE: PRIVATE PROPERTY ONLY

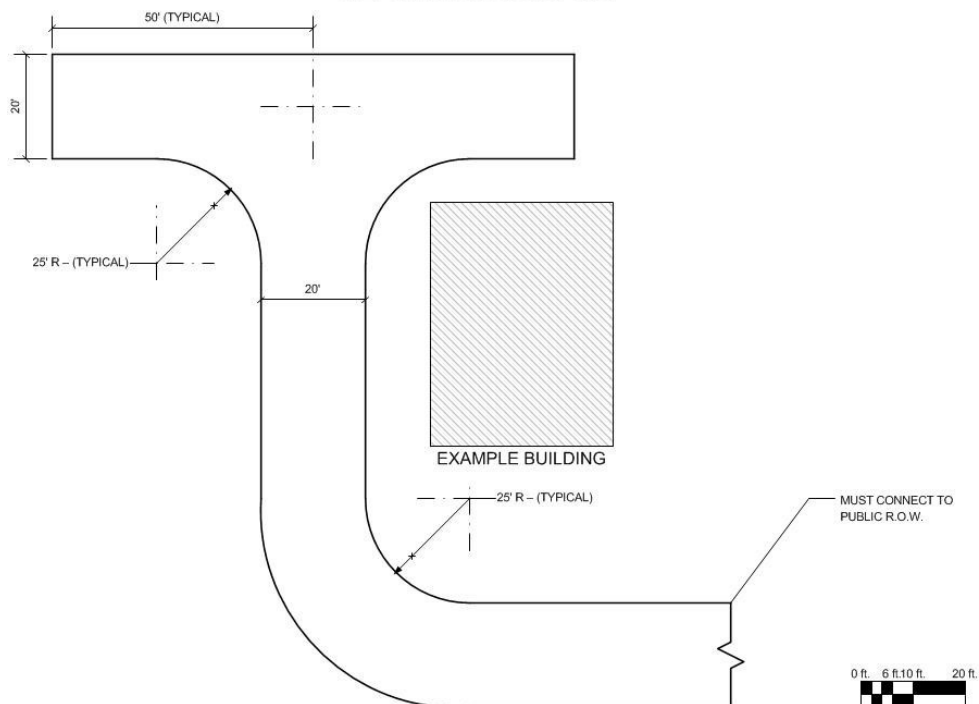


Figure D103.1 (cont.)

D103.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (46 m) shall be provided with width and turnaround provisions in accordance with Table D103.4.

TABLE 103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-660	20	100-foot hammerhead, 100-foot cul-de-sac in accordance with Figure D103.1
Over 660	Special Approval Required	

D103.5.1 Second Point of Access Required. A second point of access shall be required when the primary access roadway exceeds 660 feet (201 m) in length.

Exception: Where all dwelling units beyond 660 feet (201 m) are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3, access from two directions shall not be required.

D103.5.2 Third Point of Access Required. A third point of access will be required when any access road exceeds a distance of 1320 feet (1/4 mile) (402 m) in length

Exception:

Where all dwelling units beyond 660 feet (201 m) are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3, access from only two directions shall be required.

D103.5.3 Fourth Point of Access Required. A fourth point of access will be required when access road exceeds a distance of 2640 feet (1/2 mile) (804 m) in length

Exception:

Where all dwelling units beyond 660 feet (201 m) are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3, access from only three directions shall be required

D103.5.4 Access location. Where two or more points of access are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line.

D103.6 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria

1. Where a single gate is provided, the gate width shall be not less than 20 feet (6,096 mm). Where a fire apparatus road consists of a divided roadway, the gate shall be not less than 12 feet (3,658 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices must be approved by the fire code official.
6. Methods of locking the gate must be approved by the fire code official.
7. Manual opening gates shall not be locked with a padlock or chain and padlock unless the padlock is approved by the fire code official and is compatible with the approved Key Boxes in use by the fire department.
8. Gate design and locking device specifications shall be submitted for approval by the fire code official prior to installation.
9. Electric gate operators, where provided, shall be listed in accordance with UL325.
10. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F 2200.

D103.7 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs complying with Figure D 103.6 or other approved sign. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by section D103.6.1 or D103.6.2.

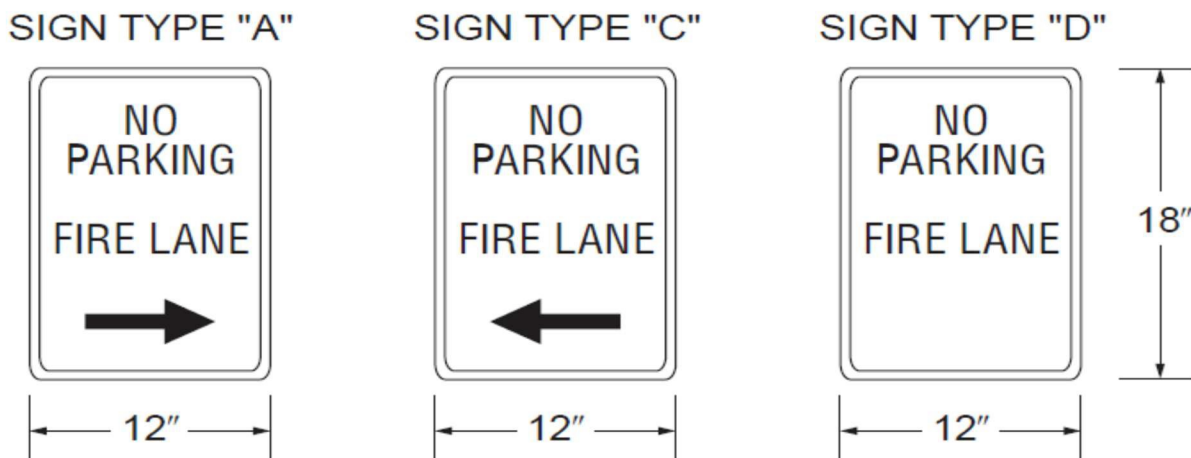


FIGURE D103.7 FIRE LANE SIGNS

D103.7.1 Roads 20 to 26 feet in width. Fire lane signs as specified in D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6,096 to 7,925 mm).

D103.7.2 Roads more than 26 feet in width. Fire lane signs as specified in D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7,925 mm) and less than 32 feet wide (9,754 mm).

D103.7.2 Minimum Overhead Clearance. Fire access roads shall have a minimum overhead clearance for the entire width of the access road of not less than 14 feet (4,267 mm).

SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9,144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.

Exception:

Buildings or facilities exceeding 30 feet (9,144 mm) or three stories in height may have a single approved fire apparatus access road when the buildings are equipped throughout with approved automatic sprinkler systems.

D104.2 Buildings exceeding 62,000 ft² in area. Buildings or facilities having a gross building area of more than 62,000 ft² (5,760 m²) shall be provided with two separate and approved fire apparatus access roads.

Exception:

Projects having a gross building area of up to 124,000 ft² (11,520 m²) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

SECTION D105 AERIAL FIRE APPARATUS ACCESS ROADS

D105.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9,144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

D105.2 Width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7,925 mm), exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet (9,144 mm) in height if the fire access road is not a dead end. Dead end fire apparatus access roads for aerial apparatus access shall be a minimum of 30 feet (9,144 mm) wide

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4,572 mm) and a maximum of 30 feet (9,144 mm) from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

D105.5 Grade. Aerial fire apparatus access roads adjacent to the building shall not exceed five percent in grade.

SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception:

Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3 1.1.

D106.2 Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads and that comply with Section D103.4.4.

Exceptions:

Where there are more than 30 dwelling units on a single public or private fire apparatus

access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3, access from two directions shall not be required.

D107.2 Future Connections. The number of dwelling units on a single fire apparatus access road shall not exceed 30 dwelling units unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Sec. 18-7-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Fire Code or this Chapter.

Sec. 18-7-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 7. 2025 Colorado Wildfire Resiliency Code. The Board of Trustees hereby adds a new Article 7.5, Chapter 18 of the Wellington Municipal Code to read as follows:

Sec. 18-7.5-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the wildfire resiliency code of the Town, by reference thereto, The 2025 Colorado Wildfire Resiliency Code version 1.0, Chapters 1 through 5 inclusive, as promulgated by the Colorado Department of Public Safety and Colorado Division of Fire Prevention and Control pursuant to SB23-166, CRS 25-33-.5-1236, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code establishes minimum regulations for the safeguarding of life and for property protection intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-7.5-20. Copy on file.

At least one (1) copy of the Wildfire Resiliency Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-7.5-30. Amendments. – Reserved

Sec. 18-7.5-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Wildfire Resiliency Code or this Chapter.

Sec. 18-7.5-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 8. International Energy Conservation Code. The Board of Trustees hereby repeals Article 8, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-8-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the energy code of the Town, by reference thereto, The International Energy Conservation Code, 2024 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 6 commercial, Chapters 1 through 6 residential including, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code establishes minimum regulations for energy conservation within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-8-20. Copy on file.

At least one (1) copy of the International Energy Conservation Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-8-30. Amendments.

IECC Section C101.1 IECC Section C101.1 (Title) is amended by the addition of the term "Town of Wellington" where indicated.

IECC Section C103.1 IECC Section 103.1 (Creation of Agency) is amended by adding "Town of Wellington" where indicated.

IECC Section C103.2 IECC Section C103.2 (Appointment) is amended by the deletion of this section in its entirety.

IECC Section C109.1 IECC Section 109.1 (General) is amended by deleting the last three paragraphs and inserting the following:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Adjustment.”

IECC Section C109.3 IECC Section 109.3 (Qualifications) is amended by the deletion of this section in its entirety.

IECC Section R101.1 IECC Section R101.1 (Title) is amended by the addition of the term “Town of Wellington” where indicated.

IECC Section R103.1 IECC Section R103.1 (Creation of enforcement agency) is amended by adding “Town of Wellington” where indicated.

IECC Section R103.2 IECC Section R103.2 (Appointment). is amended by the deletion of this section in its entirety.

IECC Section R405.2 IECC Section R405.2 (Simulated building performance compliance) part 3 is amended to read as follows:

“For all dwelling units, the annual energy cost of the proposed design shall be less than or equal to 85 percent of the annual energy cost of the standard reference design. For each dwelling unit with greater than 5000 square feet of living space located above grade plane, the annual energy cost of the dwelling unit shall be reduced by an additional 5 percent of annual energy cost of the standard reference design. Energy prices shall be taken from an approved source, such as the US Energy Information Administration’s State Energy Data system prices and expenditures reports. Code official shall be permitted to require time-of-use pricing in energy cost calculations.

Sec. 18-8-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Energy Code or this Chapter.

Sec. 18-8-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 9. Colorado Model Electric Ready and Solar Ready. The Board of Trustees hereby adds a new Article 8.5, Chapter 18 of the Wellington Municipal Code to read as follows:

Sec. 18-8.5-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the electric ready and solar ready code of the Town, by reference thereto, The Colorado Model Electric Ready and Solar Ready Code, Chapters 1 through 5 inclusive, as promulgated by the Colorado Department of Local Affairs, and Colorado Energy Office pursuant to HB22-1362, CRS 24-38.5-401(5), to

have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code establishes minimum regulations for the design and construction of buildings to prepare new buildings for solar photovoltaic or solar thermal, electric vehicle charging infrastructure, and electrification of building systems and to provide flexibility for accommodating solar and electric systems while balancing upfront costs of construction within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-8.5-20. Copy on file.

At least one (1) copy of the Wildfire Resiliency Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-8.5-30. Amendments. – Reserved

Sec. 18-8.5-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Wildfire Resiliency Code or this Chapter.

Sec. 18-8.5-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 10. International Property Maintenance Code. The Board of Trustees hereby repeals Article 9, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-9-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the property maintenance code of the Town, by reference thereto, The International Property Maintenance Code, 2024 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8 inclusive, The subject matter of the adopted code establishes minimum regulations for property maintenance within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-9-20. Copy on file.

At least one (1) copy of the International Property Maintenance Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-9-30. Amendments.

IPMC Section 101.1 IPMC Section 101.1 (Title) is amended by the addition of the term “Town of Wellington” where indicated.

IPMC Section 102.3 IPMC Section 102.3 (Application of Other Codes) is amended by the deletion of the last paragraph.

IPMC Section 103.1 IPMC Section 103.1 (Creation of Agency) is amended by the addition of the term “Town of Wellington” where indicated.

IPMC Section 104.1 IPMC Section 104.1 (Fees) is amended by deleting the section in its entirety.

IPMC Section 104.2 IPMC Section 104.2 (Refunds) is amended by deleting the section in its entirety.

IPMC Section 106.1 IPMC Section 106.1 (General) is amended by deleting the second paragraph and inserting the following:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Adjustment.”

IPMC Section 106.3 IPMC Section 106.3 (Qualifications) is amended by deleting the section in its entirety.

IPMC Section 302.3 IPMC Section 302.3 (Sidewalks and Driveways) is amended by the deletion of this section in its entirety.

IPMC Section 302.4 IPMC Section 302.4 (Weeds) is amended by deleting this section in its entirety.

IPMC Section 302.8 IPMC Section 302.8 (Motor Vehicles) is amended by deleting this section in its entirety.

IPMC Section 304.14 IPMC Section 304.14 (Insect Screens) is amended by the deletion of this section in its entirety.

IPMC Section 308 IPMC Section 308 (Rubbish and Garbage) is amended by the deleting this section in its entirety.

IPMC Section 309 IPMC Section 309 (Pest Elimination) is amended by the deletion of this section in its entirety.

Sec. 18-9-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Property Maintenance Code or this Chapter.

Sec. 18-9-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 11. International Existing Building Code. The Board of Trustees hereby repeals Article 10, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-10-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the existing building code of the Town, by reference thereto, The International Existing Building Code, 2024 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 16 inclusive, The subject matter of the adopted code establishes minimum regulations for exceptions to the building codes for existing buildings within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-10-20. Copy on file.

At least one (1) copy of the International Existing Building Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-10-30. Amendments.

International Existing Building Code is amended by replacing all references to "International Fire Code" with "Adopted Fire Code".

IEBC Section 101.1 IEBC Section 101.1 (Title) is amended by the addition of the term "Town of Wellington" where indicated.

IEBC Section 103.1 IEBC Section 103.1 (Creation of Agency) is amended by adding "Town of Wellington" where indicated.

IEBC Section 1401.2 IEBC Section 1401.2 (Conformance) is amended by deleting the section in its entirety and replacing it with the following:

"Structures moved into or within the jurisdiction shall comply with the provision of this code for new structures."

Sec. 18-10-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Existing Building Code or this Chapter.

Sec. 18-10-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 12. Swimming Pool and Spa Code. The Board of Trustees hereby repeals Article 11, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-11-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the swimming pool and spa code of the Town, by reference thereto, The International Swimming Pool and Spa Code, 2024 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 11 inclusive, The subject matter of the adopted code establishes minimum regulations for exceptions to the building codes for existing buildings within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-11-20. Copy on file.

At least one (1) copy of the International Swimming Pool and Spa Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-11-30. Amendments.

ISPSC Section 103.1 ISPSC Section 103.1 (Creation of Agency) is amended by adding "Town of Wellington" where indicated.

Sec. 18-11-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Swimming Pool and Spa Code or this Chapter.

Sec. 18-11-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 13. Severability. Should any one or more sections or provisions of this Ordinance or of any of the primary or secondary codes adopted by reference be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or the codes adopted by reference hereby, the intention being that the various sections and provisions are severable.

Section 14. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 15. Effective Date. Except as otherwise expressly provided herein, the provisions enacted by this Ordinance shall become effective at 12:01 a.m. on January 1, 2026.

READ AND INTRODUCED this 14th day of October, 2025 and public hearing scheduled for November 12, 2025.

TOWN OF WELLINGTON

By: _____
Calar Chaussee, Mayor

ATTEST:

By: _____
Hannah Hill, Town Clerk

PASSED AND ADOPTED by the Board of Trustees of the Town of Wellington, Colorado following a public hearing hereon and ordered published this 12th day of November, 2025.

TOWN OF WELLINGTON

By: _____
Calar Chaussee, Mayor

ATTEST:

By: _____
Hannah Hill, Town Clerk

Public Notices

Originally published at coloradoan.com on 10/27/2025

TOWN OF WELLINGTON, COLORADO
NOTICE OF PUBLIC HEARING
FOR ORDINANCE ADOPTING
BUILDING CODES BY REFERENCE

Notice is hereby given that the Town of Wellington Board of Trustees will hold a public hearing at 6:30 p.m. on Wednesday November 12, 2025 at the Wilson Leeper Center, 3800 Wilson Ave., Wellington, Colorado 80549. The purpose of the hearing is to solicit public comment on the adoption of the following building codes by reference, with amendments, to provide minimum standards to safeguard life or limb, health, property and public welfare for construction, alteration, moving, demolition, repair, maintenance and use of any building or structure within the Town of Wellington: The INTERNATIONAL BUILDING CODE, 2024 Edition; the INTERNATIONAL RESIDENTIAL CODE, 2024 Edition; the INTERNATIONAL FUEL GAS CODE, 2024 Edition; the INTERNATIONAL PLUMBING CODE, 2024 Edition; the INTERNATIONAL MECHANICAL CODE, 2024 Edition; the INTERNATIONAL EXISTING BUILDING CODE 2024 Edition; the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2024 Edition; the INTERNATIONAL ENERGY CONSERVATION CODE, 2024 Edition; the INTERNATIONAL SWIMMING POOL AND SPA CODE, 2024 Edition; and the INTERNATIONAL FIRE CODE, 2024 Edition, said codes promulgated by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose of the hearing is also to solicit public comment on the adoption of the COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE by reference, promulgated by the Colorado Department of Local Affairs, and Colorado Energy Office pursuant to HB22-1362, CRS 24-38.5-401(5). The purpose of the hearing is also to solicit public comment on the adoption of the 2025 COLORADO WILDFIRE RESILIENCY CODE VERSION 1.0 and the 2025 COLORADO WILDFIRE RESILIENCY STATE CODE MAP by reference, promulgated by the Colorado Department of Public Safety and Colorado Division of Fire Prevention and Control, pursuant to SB23-166, CRS 25-33-.5-1236.

Copies of the codes being considered for adoption and the adopting ordinance are on file with the Town Building Department and may be inspected during regular business hours. Interested and affected parties are encouraged to attend. Following the public hearing, the Board of Trustees will consider passage of the adopting ordinance on final reading. The effective date of the ordinance will be January 1, 2026. Questions and comments may be directed to the Wellington Building Department at (970) 821-5078 or

building@wellingtoncolorado.gov.

OCT. 27, Nov. 3, 2025

Public Notices

Originally published at coloradoan.com on 11/03/2025

TOWN OF WELLINGTON, COLORADO
NOTICE OF PUBLIC HEARING
FOR ORDINANCE ADOPTING
BUILDING CODES BY REFERENCE

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Copies of the codes being considered for adoption and the adopting ordinance are on file with the Town Building Department and may be inspected during regular business hours. Interested and affected parties are encouraged to attend. Following the public hearing, the Board of Trustees will consider passage of the adopting ordinance on final reading. The effective date of the ordinance will be January 1, 2026. Questions and comments may be directed to the Wellington Building Department at (970) 821-5078 or

building@wellingtoncolorado.gov.

OCT. 27, Nov. 3, 2025



Board of Trustees Meeting

Date: November 12, 2025

Subject: Ordinance No. 15-2025 Considering Adoption by Reference of the 2024 International Building Codes with Local Amendments, and Adoption of the Colorado Model Electric Ready and Solar Ready Code, and Adoption of the 2025 Colorado Wildfire Resiliency Code Version 1.0

- **Presentation:** Cody Bird, Planning Director and Kelly Dykstra, Building Official

EXECUTIVE SUMMARY

This agenda item is for the official action of the Board of Trustees for recommended adoption of the 2024 International Building Codes with local amendments, and adoption of the Colorado Model Electric Ready and Solar Ready Code, and adoption of the 2025 Colorado Wildfire Resiliency Code Version 1.0. Please refer to background materials, attachments and the staff report included in the second reading and public hearing agenda item.

BACKGROUND / DISCUSSION

Notice requirements for consideration of Ordinance No. 15-2025 have been satisfied. The ordinance was introduced on first reading at the October 14, 2025 Board of Trustees meeting and a public hearing scheduled for November 12, 2025. Notices of the public hearing were advertised in the newspaper for two consecutive weeks on October 27, 2025 and November 3, 2025 in accordance with law. Copies of the code books recommended for adoption have been available for public inspection at the Office of the Town Building Department during normal business hours. The ordinance was read on second reading on November 12, 2025, and a public hearing conducted thereon.

CONNECTION WITH ADOPTED MASTER PLANS

Ensure Strong Town Operations and Grow Responsibly.

FISCAL IMPLICATIONS

N/A

STAFF RECOMMENDATION

Staff recommends adoption of Ordinance No. 15-2025 adopting the 2024 International Building Codes with local amendments identified in the ordinance and adoption of the Colorado Model Electric Ready and Solar Ready Code, and adoption of the 2025 State of Colorado Wildfire Resiliency Code Version 1.0.

MOTION RECOMMENDATION

Move to adopt Ordinance No. 15-2025 adopting by reference the 2024 International Building Codes with local amendments, and adoption of the Colorado Model Electric Ready and Solar Ready Code, and adoption of the 2025 Colorado Wildfire Resiliency Code Version 1.0.

ATTACHMENTS

1. Ordinance No. 15-2025

TOWN OF WELLINGTON

ORDINANCE NO. 15-2025

AN ORDINANCE ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE, 2024 EDITION, THE INTERNATIONAL RESIDENTIAL CODE, 2024 EDITION, THE INTERNATIONAL FUEL GAS CODE, 2024 EDITION, THE INTERNATIONAL FIRE CODE, 2024 EDITION THE INTERNATIONAL PLUMBING CODE, 2024 EDITION, THE INTERNATIONAL MECHANICAL CODE, 2024 EDITION, THE INTERNATIONAL EXISTING BUILDING CODE, 2024 EDITION, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2024 EDITION, THE INTERNATIONAL SWIMMING POOL and SPA CODE, 2024 EDITION, AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2024 EDITION, PROMULGATED BY THE INTERNATIONAL CODE COUNCIL, THE COLORADO MODEL SOLAR AND ELECTRIC READY CODE AND THE 2025 COLORADO WILDFIRE RESILIENCY CODE, VERSION 1.0.

WHEREAS, the Town of Wellington desires to adopt an ordinance repealing Ordinance No. 05-2019 and any amendments thereto and adopting by reference the International Building Code (2024 Edition); The International Residential Code for One – and Two – Family Dwellings (2024 Edition); The International Fuel Gas Code (2024 Edition); The International Plumbing Code (2024 Edition); The International Mechanical Code (2024 Edition); The International Existing Building Code (2024 Edition); The International Property Maintenance Code (2024 Edition); The International Swimming Pool and Spa Code (2024 Edition); The International Energy Conservation Code (2024 Edition), promulgated by the International Code Council, Inc, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, with specified amendments to each.

WHEREAS, the Town of Wellington desires to adopt by reference The Colorado Model Electric Ready and Solar Ready Code, promulgated by the Colorado Department of Local Affairs, and Colorado Energy Office pursuant to HB22-1362, CRS 24-38.5-401(5).

WHEREAS, the Town of Wellington desires to adopt by reference the 2025 Colorado Wildfire Resiliency Code version 1.0 and the 2025 Colorado Wildfire Resiliency State Code Map promulgated by the Colorado Department of Public Safety and Colorado Division of Fire Prevention and Control, pursuant to SB23-166, CRS 25-33-.5-1236.

NOW, THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Wellington, Colorado as follows:

Section: 1. International Building Code. The Board of Trustees hereby repeals Article 1, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-1-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the building code of the Town, by reference thereto, the International Building Code, 2024 Edition, Chapters 1 through 35 inclusive and Appendix P, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-579, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes the comprehensive provisions and standards regulating the erection, constructions, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height,

area, and maintenance of buildings and structures for the purpose of protecting the public health, safety and general welfare.

Sec. 18-1-20. Copy on File.

At least one (1) copy of the International Building Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected, by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-1-30. Amendments.

IBC Section 101.1 IBC Section 101.1 (Title) is amended by the addition of the term "Town of Wellington" where indicated.

IBC Section 101.4.3 IBC Section 101.4.3 (Plumbing) is amended by deletion of the last sentence.

IBC Section 101.4.5 IBC Section 101.4.5 (Fire prevention) is amended by replacing "International Fire Code" with "adopted fire code".

IBC Section 101.4.6 IBC Section 101.4.6 (Energy) is amended by replacing the words "International Energy Conservation Code" to "2024 International Energy Conservation Code".

IBC Section 103.1 IBC Section 103.1 (Creation of Enforcement Agency) is amended by adding "Town of Wellington" where indicated.

IBC Section 105.2 IBC Section 105.2 (Work exempt from permit) is amended by deleting;

Exception #1 and replacing with "One-Story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and the roof height does not exceed 10 feet above grade measured from a point directly outside the exterior walls of the structure."

Exception #2 is deleted in its entirety and replaced with "Fences not over 6 feet (2134mm) high. Swimming pool barriers of any height are not exempt from permits.

Adding Exception #14 "Shingle repair or replacement work not exceeding one square (100 square feet in area) of covering per building.

IBC Section 105.5 IBC Section 105.5 (Expiration) is amended by the deletion of this section in its entirety and replaced with "Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be commenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided

further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”

IBC Section 109.4 IBC Section 109.4 (Work commencing before permit issuance) is deleted in its entirety and replaced with “Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee established by the town. The amount of the investigation fee may be in the amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being *in addition to* all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.

IBC Section 109.6 IBC Section 109.6 (Refunds) is amended by deleting the section in its entirety and replacing the section with the following:

“The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

IBC Section 111.3 IBC Section 111.3 (Temporary Occupancy) is amended by deleting the words “Building Official” and replacing with “Town of Wellington.”

IBC Section 113.1 IBC Section 113.1 (General) is amended by deleting the last two sentences and inserting the following:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Adjustment.”

IBC Section 113.3 IBC Section 113.3 (Qualifications) is amended by deleting the section in its entirety.

IBC Section 202 IBC Section 202 (Definitions) is amended by the addition of the following:

“Sleeping Room” (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IBC Section 1208 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.

IBC Section 310.4.1 IBC Section 310.4.1 (Care Facilities within a Dwelling) is amended by adding “Except as provided in C.R.S. § 26-6-104.5 (concerning family childcare homes)” as the first paragraph.

IBC Section 903.2 IBC Section 903.2 (Where required) is amended to read as follows:

“Approved automatic sprinkler systems in new and existing buildings and structures shall be

provided in the locations described in Sections 903.2.1 through 903.2.12 and 903.2.13 as amended and 903.2.14 as amended.”

IBC Section 903.2.1 903.2.1(Group A) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings as Group A occupancies as provided in this section.”

IBC Section 903.2.1.1 903.2.1.1 (Group A-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-1 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IBC Section 903.2.1.2 903.2.1.2 (Group A-2) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-2 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 5,000 ft² (464 m²).
2. The *fire area* has an occupant load of 50 or more.”

IBC Section 903.2.1.3 903.2.1.3 (Group A-3) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A- 3 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IBC Section 903.2.1.4 903.2.1.4 (Group A-4) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-4 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IBC Section 903.2.1.6 903.2.1.6 (Assembly occupancies on roofs) is amended to read as follows:

“Where an occupied roof has an assembly occupancy with an occupant load exceeding 50 for Group A occupancies, an automatic sprinkler system shall be provided throughout buildings in accordance with Section 903.3.1.1 or 903.3.1.2.

IBC Section 903.2.1.7 903.2.1.7 (Multiple fire areas) is amended to read as follows:

“An automatic sprinkler system shall be provided where multiple *fire areas* of Group A-1, A-2, A-3 or A-4 occupancies share exit or exit access components and the combined occupant load of these *fire areas* is 50 or more.”

IBC Section 903.2.2 903.2.2 (Group B) is amended to read as follows:

“An automatic sprinkler system shall be provided for Group B occupancies as follows:

1. Throughout all Group B *fire areas* greater than 6,000 ft² (557 m²) in area.
2. Where the combined *fire areas* of Group B on all floors, including mezzanines, is greater than 6,000 ft² (577 m²).”

IBC Section 903.2.2.1 903.2.2.1 (Ambulatory care facilities) is amended to read as follows:

“An automatic sprinkler system shall be installed throughout the entire building containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.”

IBC Section 903.2.3 903.2.3 (Group E) is amended to read as follows:

“An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E *fire areas* greater than 6,000 ft² (557 m²) in area.
2. The Group E *fire area* is located on a floor other than a level of exit discharge serving such occupancies.
3. The Group E *fire area* has an occupant load of 50 or more.”

IBC Section 903.2.4 903.2.4 (All Group F-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1—occupancy where one of the following conditions exists:

1. The combined area of all Group F-1 *fire areas*, including any mezzanines exceeds 6,000 ft² (557 m²).
2. A Group F-1 *fire area* is located more than two stories above grade plane.
3. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 ft² (232 m²).”

IBC Section 903.2.6 903.2.6 (Group I) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings with a Group I *fire area*.

Exceptions:

1. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.
2. An automatic sprinkler system is not required where Group I-4 daycare facilities are at the level of exit discharge and where every room where care is provided has not fewer than one exterior exit door.”

IBC Section 903.2.7 903.2.7 (Group M) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 6,000 ft² (557 m²).
2. A Group M *fire area* is located more than two stories above grade plane.”

IBC Section 903.2.9 903.2.9 (Group S-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. The combined area of all Group S 1 *fire areas* on all floors, including any mezzanines, exceeds 6,000 ft² (557 m²).
2. A Group S-1 *fire area* is located more than two stories above grade plane.
3. A Group S-1 *fire area* used for the storage of commercial motor vehicles where the *fire area* exceeds 5,000 ft² (464 m²).

4. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 ft² (46.4 m²)."

IBC Section 903.2.9.1 903.2.9.1 (Repair garages) is amended to read as follows:

"An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the International Building Code, as shown.

1. Buildings with a fire area containing a repair garage exceeding 6,000 ft² (557 m²).
2. Buildings with repair garages servicing vehicles parked in basements.
3. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 ft² (464 m²).
4. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 ft² (46.4 m²)."

IBC Section 903.2.9.2 903.2.9.2 (Bulk storage of tires) is amended to read as follows:

"Buildings and structures where the area for the storage of tires exceeds 10,000 ft³ (566 283 m³) shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1."

IBC Section 903.2.10 903.2.10 (Group S-2 enclosed parking garages) is amended to read as follows:

"An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the International Building Code where either of the following conditions exists:

1. Where the fire area of the enclosed parking garage exceeds 6,000 ft² (557 m²).
2. Where the enclosed parking garage is located beneath other groups.
Exception: Enclosed parking garages located beneath Group R 3 occupancies.
3. Where the fire area of the open parking garage exceeds 6,000 ft² (557 m²)."

IBC Section 903.2.13 Add a new section to read as follows:

"903.2.13 (Mixed Occupancies) An automatic sprinkler system shall be provided throughout all buildings containing mixed occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (577 m²).
2. Where the combined *fire areas* of mixed occupancies on all floors including mezzanines and basements is greater than 6,000 ft² (577 m²)."

IBC Section 903.2.14 Add a new section to read as follows:

"903.2.14 (Buildings constructed under the International Residential Code) An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be provided throughout all multiple (three or more) attached single-family dwellings (townhouses), complying with the requirements of the International Residential Code.

Exception:

Unless otherwise required by more restrictive local codes, policies, amendments, ordinances, or plat note."

IBC Section 903.3.1.3 903.3.1.3 (NFPA 13D sprinkler systems) is amended to read as follows:

"Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D and local codes, ordinances, and policies."

IBC Section 903.3.1.4 Add a new section to read as follows:

“903.3.1.4 (Core and shell buildings) Automatic fire sprinkler systems in buildings constructed to house future tenant spaces that are not assigned an occupancy shall have minimum hazard classification of Ordinary Hazard 2 in accordance with NFPA 13.”

IBC Section 903.4 903.4 (Sprinkler system supervision and alarms) is amended to read as follows:

“Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems valves, pumps, and tanks in one- and two family dwellings.
2. Jockey pump control valves that are sealed or locked in the open position.
3. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
4. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.”

IBC Section 915.2.1 IBC Section 915.2.1 (Dwelling units) The first paragraph is amended as follows:

“Carbon monoxide detection shall be installed in dwelling units within 15 feet of each separate sleeping area.”

IBC Section 915.2.1 IBC Section 915.2.1 (Dwelling units) The first paragraph is amended as follows:

“Carbon monoxide detection shall be installed in dwelling units within 15 feet of each separate sleeping area.”

IBC Section 1015.2 IBC Section 1015.2 (Where required) is amended by the addition of a second paragraph inserted before the exceptions as follows:

“All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914.4 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.”

IBC Section 1015.9 IBC Section 1015.9 (Below Grade Openings) Below grade openings in all R-2 and R-3 Occupancies add section to read;

“All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.

Exceptions:

1. The access side of stairways need not be protected.
2. Area and window wells provided for emergency escape and rescue windows may be protected with approved grates or covers that comply with Section R310.4 of this code.
3. Covers and grates may be used over stairways and other openings used exclusively for service access or for admitting light or ventilation.”

IBC Section 1031.2 IBC Section 1031.2 (Where required) is amended by the deletion of Exception #5.

IBC Section 1031.3.1 IBC Section 1031.3.1 (Minimum Size) is amended by the deletion of the Exception.

IBC Section 1031.5.1 IBC Section 1031.5.1 (Minimum size) is amended as follows:

"For all building permits issued after the effective date of the 1997 UBC Adoption, all escape and rescue windows requiring a window well pursuant to the International Residential Code shall comply with the dimension requirements set forth in this section, whether or not said escape or rescue window is located in a sleeping room.

With regard to building permits issued prior to the effective date of the 1997 UBC Adoption, for additions to or alterations of existing buildings or structures, any window well with a finished sill height below adjacent ground level shall be deemed in compliance with the Towns regulations if said window well meets the dimensions set forth in the 1991 Edition of the Uniform Building Code, previously in effect in the town."

IBC Section 1301.1.1 IBC Section 1301.1.1 (Criteria) is amended by replacing "International Energy Conservation Code" with the "2024 International Energy Conservation Code."

IBC Section 1507.2.1 IBC Section 1507.2.1 (Deck Requirements) is amended by adding a second sentence "Gaps in solidly sheathed or plank decking shall not exceed 1/8 inch."

IBC Section 1612.3 IBC Section 1612.3 (Establishment of flood hazard areas) is amended by the insertion of "Larimer County, Colorado and Incorporated Areas" where indicated for jurisdiction, and "December 19, 2006" where indicated for date of issuance.

IBC Section 1809.5 IBC Section 1809.5 (Frost Protection) is amended to clarify #1 "Extending below the frost line of the locality" to specifically state the frost line is 30 inches.

IBC Section 2902.2 IBC Section 2902.2 (Separate Facilities) is amended by deleting the section in its entirety and replacing the section with the following:

"Restrooms fixtures shall be provided in quantities per table 2902.1, which shall be achieved by either gender-neutral single user restrooms, or by multi-user (multi-fixture) restrooms for each sex. Gender neutral multi-user restrooms are allowed only where water closets and showers are each provided in compartments with walls or partitions and a door enclosing the fixtures to the remainder of the facility or each urinal must be located in a stall with door.

The numbers of fixtures shall be calculated based on the average number of male/female fixtures in table 2902.1

Exceptions:

#1 For mercantile occupancies in which the maximum occupant load is 100 or fewer, one gender neutral single user restroom is allowed.

#2 For buildings or tenant spaces in which the maximum occupant load is 25 or fewer, one gender neutral single user restroom is allowed."

Appendix P “Sleeping Lofts” is hereby adopted in its entirety.

Sec. 18-1-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Building Code or this Chapter.

Sec. 18-1-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directives of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 2. International Residential Code. The Board of Trustees hereby repeals Article 2, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-2-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the residential code of the Town, by reference thereto, the International Residential Code, 2024 Edition, Chapters 1 through 43 inclusive and Appendix BE, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures for the purpose of protecting the public health, safety and general welfare.

Sec. 18-2-20. Copy on file.

At least one (1) copy of the International Residential Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town’s adopted Fee Schedule.

Sec. 18-2-30. Amendments.

IRC Section R101.1 IRC Section R101.1 (Title) is amended by the addition of the term “Town of Wellington” where indicated.

IRC Section R103.1 IRC Section 103.1 (Creation of Agency) is amended by adding “Town of Wellington” where indicated.

IRC Section R105.2 IRC Section R105.2 (Work Exempt from Permit) is amended by deleting the following Exceptions:

Exception #1 and replacing with “One-Story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and the roof height does not exceed 10 feet above grade measured from a point directly outside the exterior walls of the structure.”

Exception #2 is deleted in its entirety and replaced with “Fences not over 6 feet (2134mm) high. Swimming pool barriers of any height are not exempt from permits.

Exception #10 is deleted in its entirety and replaced with “Shingle repair or replacement work not exceeding one square (100 square feet in area) of covering per building.

IRC Section 105.5 IRC Section 105.5 (Expiration) is amended by the deletion of this section in its entirety and replaced with the following:

“Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”

IRC Section R108.5 IRC Section R108.5 (Refunds) is amended by deleting the section in its entirety and replacing the section with the following:

“The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

IRC Section R108.6 IRC Section R108.6 (Work commencing before permit issuance) is amended by deleting the section in its entirety and replacing the section with the following:

“Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to the fee schedule adopted by the Town of Wellington.”

IRC Section R112.1 IRC Section R112.1 (General) is amended by deleting the last three sentences and inserting the following:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Adjustment.”

IRC Section R112.3 IRC Section R112.3 (Qualifications) is amended by deleting this section in its entirety.

IRC Section R202 IRC Section R202 (Definitions) is amended by addition of the following:

“Sleeping Room” (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IRC Sections R312 and R313 and contains a

closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.

IRC Table R301.2 (1) IRC Table R301.2 (1) is established as following:

TABLE R301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA												
GROUND SNOW LOAD *	WIND DESIGNS				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARD	AIR FREEZING INDEX	MEAN ANNUAL TEMP
35 PSF	Speed* (MPH)	Topographic effects	Special wind region	Windborne Debris	B	Weathering	Frost Depth	Termite	Yes	**	1,000	45°F
	115	No	Yes	No		Severe	30 Inches	Slight to Moderate				
*The design ground snow load pg. shall 35 psf for the Town of Wellington per the Colorado Design Snow Loads, published by the Structural Engineers Association of Colorado (dated April 2016.) The design roof snow load values shall be determined from Chapter 7, ASCE 7, including all the applicable factors, and loading and drifting consideration. In no case shall the final design roof snow load be less than a uniformity distributed load of 30 psf. Alternatively, the basic design wind speed, V, in mph, for the determination of wind speed may comply with the Colorado Front Range Gust Map – ASCE 7 compatible, published by the Structural Engineers Associations of Colorado (dated November 18th, 2013).												
** The Flood Insurance Study for 4 maps, 08069C0759F, 08069C0778F, 08069C0767F, 08069C0786F all effective 12/19/2006. Amendments are dated: 2/04/2013 and 1/29/2025.												

MANUAL J DESIGN CRITERIA* SITE SPECIFIC						
ELEVATION	ALTITUDE CORRECTION FACTOR*	COINCIDENT WET BULB	INDOOR WINTER DESIGN DRY-BULB TEMPERATURE	INDOOR WINTER DESIGN DRY-BULB TEMPERATURE	OUTDOOR WINTER DESIGN DRY-BULB TEMPERATURE	HEATING TEMPERATURE DIFFERENCE
5200		62	72	72	6	66
LATITUDE	DAILY RANGE	INDOOR SUMMER DESIGN RELATIVE HUMIDITY	INDOOR WINTER DESIGN RELATIVE HUMIDITY	INDOOR SUMMER DESIGN DRYBULB TEMPERATURE	OUTDOOR SUMMER DESIGN DRY-BULB TEMPERATURE	COOLING TEMPERATURE DIFFERENCE
40.70	High	50	30	75	91	16

IRC Section R309.2 IRC Section R309.2 (One-two family dwellings automatic fire sprinklers) is amended by the deletion of this section in its entirety.

IRC Section 310.4.1 IBC Section 310.4.1 (Care Facilities within a Dwelling) is amended by adding “Except as in provided in C.R.S. § 26-6-104.5 (concerning family childcare homes)” as the first paragraph.

IRC Section 311.3 IRC Section 311.3 (Location) is amended by addition to the first paragraph as follows:
“Carbon monoxide detection shall be installed in dwelling units within 15 feet of each separate sleeping area.”

IRC Section R319.1 IRC Section R319.1 (Emergency Escape and Rescue Openings) is amended by the deletion of the first paragraph and replaced with “All windows located in basements, and not less than one, in habitable attics and sleeping rooms shall meet all the requirements of section R319.1 through R319.2.”

Exception #3 is deleted in its entirety.

IRC Section R319.2.1 IRC Section R319.2.1 (Minimum size) is amended by the deletion of the exception.

IRC Section R319.4 IRC Section R319.4 (Area wells) is amended by the addition of the following:
"For all building permits issued after the effective date of the 1997 UBC Adoption, all escape and rescue windows requiring a window well pursuant to the International Residential Code shall comply with the dimension requirements set forth in this section, whether or not said escape or rescue window is located in a sleeping room.

With regard to building permits issued prior to the effective date of the 1997 UBC Adoption, for additions to or alterations of existing buildings or structures, any window well with a finished sill height below adjacent ground level shall be deemed in compliance with the Towns regulations if said

window well meets the dimensions set forth in the 1991 Edition of the Uniform Building Code, previously in effect in the town."

IRC Section R319.4.2 IRC Section R319.4.2 (Ladder and steps) is amended by the addition of the following exception to read as follows:

"Exception: Only one window well ladder shall be required in an unfinished basement."

IRC Section R401.2 IRC Section R401.2 (Requirements) is amended by the addition of the following:

"All for new Group R, one and two family dwellings, and townhomes shall be designed and the construction drawings stamped by a Colorado registered design professional. The foundation design must be based on an engineer's soils report. The drawings must be noted with the engineering firm's name, specific location for design and soils report number. A site certification prepared by State of Colorado registered design professional is required for setback verification on all new Group R Division 3 occupancies."

IRC Section R405.1 IRC Section R405.1 (Concrete or masonry foundations) is amended with the addition of the following after the first sentence:

"All foundation drains shall be designed and inspected by a State of Colorado registered design professional."

IRC Section R502.6. IRC Section R502.6 (Bearing) is amended to read as follows:

"The ends of each joist, beam or girder shall have not less than 1 1/2 inches (38 mm) of bearing on wood or metal, have not less than 3 inches of bearing (76 mm) on masonry or concrete or be supported by *approved* joist hangers. Alternatively, the ends of joists shall be supported on a 1-inch by 4-inch (25 mm by 102 mm) ribbon strip and shall be nailed to the adjacent stud. The bearing on masonry or concrete shall be direct, or a sill plate of 2-inch-minimum (51mm) nominal thickness shall be provided under the joist, beam or girder, or a maximum of 2-inch solid steel shims with a minimum thickness each of 1 inch (25.4 mm) shall be provided under the joist, beam or girder." Individual shims shall not be stacked greater than 1/4 inch under any single beam. Wood shims shall NOT be allowed. The sill plate shall provide a minimum nominal bearing area of 48 *square* inches (30 865 mm²) or as otherwise engineered."

IRC Section M1502.4.6 IRC Section M1502.4.6 (Duct Length) is amended to "the maximum allowable exhaust duct length shall be determined by section M1502.4.6.1."

IRC Section M1502. 4.6.2. IRC Section M1502.4.6.2. (Manufacturer's instructions) is amended by the deletion of this section in its entirety.

IRC Section M1502. 4.6.3. IRC Section M1502. 4.6.3. (Dryer exhaust duct power ventilator) is amended by the deletion of this section in its entirety.

IRC Section M1502. 4.7. IRC Section M1502. 4.7. (Length identification) is amended by the deletion of this section in its entirety.

IRC Section M1502. 4.8. IRC Section M1502. 4.8. (Exhaust duct required) is amended by the deletion of this section in its entirety.

IRC Section G2415.12 IRC Section G2415.12 (Minimum burial depth) is amended by the addition of the following:

“All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.”

IRC Section G2415.12.1 IRC Section G2415.12.1 (Individual outside appliances) is deleted in its entirety.

IRC Section G2417.4.1 IRC Section G2417.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.

IRC Section G2417.4.2 IRC Section G2417.4.2 (Test Duration) is amended by replacing “10 Minutes” with “15 Minutes.”

IRC Section P2503.5.1 IRC Section P2503.5.1 (Rough plumbing) is amended by deleting the first paragraph and replacing with “DWV systems shall be tested on completion of the rough piping installation by water or air with no evidence of leakage.”

IRC Section P2603.5.1 IRC Section P2603.5.1 (Sewer depth) is amended by filling in both areas where indicated to read “12 inches (305 mm)”.

IRC Section P2503.6 IRC Section P2503.6 (Shower Liner Test) is deleted in its entirety.

IRC Section P2913 IRC Section P2913 (Reclaimed Water systems) is amended by deletion of this section in its entirety and replaced with the following:

“Town of Wellington prohibits the installation of greywater treatments works and the use of all greywater pursuant to C.R.S. 25-8-205.4 (2)(a)(I).”

IRC Section R2913 IRC Section R3009 (Greywater Soil Absorption Systems) is amended by deleting this section in its entirety.

IRC Section P3103.1 IRC Section P3103.1 (Roof extension) is amended by replacing the words “6 inches” with “12 inches”.

IRC Appendix BE IRC Appendix BE (Radon Control Methods) is deleted in its entirety, and amended as follows:

BE103.5 Passive submembrane depressurization system.

In *buildings* with *crawl space* foundations, the following components of a passive *submembrane depressurization system* shall be installed during construction.

Exception: *Buildings* in which an *approved mechanical crawl space ventilation system* or other equivalent system is installed.

BE103.5.1 Ventilation.

Crawl spaces shall be provided with vents to the exterior of the *building*. The minimum net area of ventilation openings shall comply with Section R408.1.

BE103.5.2 Soil-gas-retarder.

The soil in *crawl spaces* shall be covered with a continuous layer of minimum 6-mil (0.15 mm) polyethylene *soil-gas-retarder*. The ground cover shall be lapped not less than 12 inches (305 mm) at joints and shall extend to all foundation walls enclosing the *crawl space* area.

BE103.5.3 Vent pipe.

A plumbing tee or other *approved* connection shall be inserted horizontally beneath the sheeting and connected to a 3- or 4-inch-diameter (76 or 102 mm) fitting with a vertical vent pipe installed through the sheeting.

BE103.6 Passive subslab depressurization system.

In *basement* or slab-on-grade buildings, the following components of a passive *subslab depressurization system* shall be installed during construction.

BE103.6.1 Vent pipe.

A minimum 3-inch-diameter (76 mm) ABS, PVC or equivalent gastight pipe shall be embedded horizontally into the subslab aggregate or other permeable material before the slab is cast. A “T” fitting or equivalent method shall be used to ensure that the pipe opening remains within the subslab permeable material and extend and terminate above the slab a minimum of 6 inches.

Sec. 18-2-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Residential Code or this Chapter.

Sec. 18-2-50 . Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 3. International Plumbing Code. The Board of Trustees hereby repeals Article 3, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-3-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the plumbing code of the Town, by reference thereto, the International Plumbing Code, 2024 Edition, Chapters 1 through 13 inclusive, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The purpose of said code is to protect the health and sanitation of the residents of the Town by providing comprehensive regulations governing materials, installation methods and other matters pertaining to plumbing for the purpose of protecting the public health, safety and general welfare.

Sec. 18-3-20. Copy on file.

At least one (1) copy of the International Plumbing Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town’s adopted Fee Schedule.

Sec. 18-3-30. Amendments.

IPC Section 101.1 IPC Section 101.1 (Title) is amended by the addition of the term “Town of Wellington” where indicated.

IPC Section 103.1 IPC Section 103.1 (Creation of Agency) is amended by adding “Town of Wellington” where indicated.

IPC Section 305.4.1 IPC Section 305.4.1 (Sewer depth) is amended by filling in both areas where indicated to read “12 inches (305 mm)”.

IPC Section 312.3 IPC Section 312.3 (Drainage and vent air test) is amended by deleting the first paragraph.

IPC Section 903.1.1 IPC Section 903.1.1 (Roof extension unprotected) is amended by inserting the number “12” (152.4 mm) where indicated.

IPC Section 1304 IPC Section 1304 (Reclaimed Water Systems) is amended by deletion of this section in its entirety and replaced with the following:

“The Town of Wellington prohibits the installation of greywater treatments works and the use of all greywater pursuant to C.R.S. 25-8-205.4 (2)(a)(I).”

Sec. 18-3-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Plumbing Code or this Chapter.

Sec. 18-3-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 4. International Mechanical Code. The Board of Trustees hereby repeals Article 4, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-4-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the mechanical code of the Town, by reference thereto, the International Mechanical Code, 2024 Edition, Chapters 1 through 15 inclusive, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The purpose and subject matter of the adopted code is to include comprehensive provisions and standards relating to the mechanical installations in or in connection with the construction, erection, installation, alteration, repair, relocation, replacement, addition to, maintenance or use of heating, ventilating, cooling and refrigeration systems, incinerators and other miscellaneous heatproducing appliances within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-4-20. Copy on file.

At least one (1) copy of the International Mechanical Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-4-30. Amendments.

IMC Section 101.1 IMC Section 101.1 (Title) is amended by the addition of the term "Town of Wellington" where indicated.

IMC Section 103.1 IMC Section 103.1 (Creation of Agency) is amended by adding "Town of Wellington" where indicated.

Sec. 18-4-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Mechanical Code or this Chapter.

Sec. 18-4-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 5. International Fuel Gas Code. The Board of Trustees hereby repeals Article 5, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-5-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the fuel gas code of the Town, by reference thereto, the International Fuel Gas Code, 2024 Edition, Chapters 1 through 8 inclusive, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code establishes minimum regulations for fuel gas systems and gas-fired appliances for the purpose of protecting the public health, safety and general welfare.

Sec. 18-5-20. Copy on file.

At least one (1) copy of the International Fuel Gas Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-5-30. Amendments.

IFGC Section 101.1 IFGC Section 101.1 (Title) is amended by the addition of the term "Town of Wellington" where indicated.

IFGC Section 103.1 IFGC Section 103.1 (Creation of Agency) is amended by adding “Town of Wellington” where indicated.

IFGC Section 404.12 IFGC Section 404.12 (Minimum burial depth) is amended by the addition of the following:

“All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.”

IFGC Section 404.12.1 IFGC Section 404.12.1 (Individual Outdoor appliances) is amended to read as follows:

“Individual lines to outdoor lights, grills and other appliances shall be installed not less than 18 inches (457 mm) below finished grade, provided that such installation is approved and is installed in locations not susceptible to physical damage.”

IFGC Section 406.4.1 IFGC Section 406.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.

IFGC Section 406.4.2 IFGC Section 406.4.2 (Test duration) is amended by changing the second paragraph to read as follows:

“When testing a system having a volume less than 10 cubic feet or a system in a single-family dwelling, the test duration shall be not less than 15 minutes.”

Sec. 18-5-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Fuel Gas Code or this Chapter.

Sec. 18-5-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 6. International Fire Code. The Board of Trustees hereby repeals Article 7, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-7-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the fire code of the Town, by reference thereto, the International Fire Code, 2024 Edition, Chapters 1 through 80 inclusive, and Appendices A-I, inclusive with amendments, and Appendices N and O, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The purpose and subject matter of the adopted code is to establish standards for the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises and conditions affecting the safety of firefighters and emergency responders during emergency operations.

Sec. 18-7-20. Copy on file.

At least one (1) copy of the International Fire Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-7-30. Amendments.

IFC Section 101.1 IFC Section 101.1 (Title) is amended to read as follows:

“These regulations shall be known as the Fire Code of the Town of Wellington, hereinafter referred to as "this code.”

IFC Section 101.2.1 IFC Section 101.2.1 (Appendices) is amended to read as follows:

“Provisions in the appendices shall not apply unless specifically adopted. Appendices shall hereby be adopted as outlined in Table 101.2.1:

Table 101.2.1- Appendices Adoption Status		
APPENDIX	TITLE	STATUS
A	Board of Appeals	Adopted
B	Fire-flow Requirements for Buildings	Adopted, with amendments
C	Fire Hydrant Locations and Distribution	Adopted, with amendments
D	Fire Apparatus Access Roads	Adopted, with amendments
E	Hazard Categories	Adopted
F	Hazard Ranking	Adopted
G	Cryogenic Fluids—Weights and Volume Equivalents	Adopted
H	Hazardous Materials Management Plan (HMMP)	Adopted
I	Fire Protection Systems—Non-compliant Conditions	Adopted
J	Building Information Sign	Not Adopted
K	Construction Requirements for Existing Ambulatory Care Facilities	Not Adopted
L	Requirements for Fire Fighter Air Replenishment Systems	Not Adopted
M	High-rise Buildings—Retroactive Automatic Sprinkler Requirements	Not Adopted
N	Indoor Trade Shows and Exhibitions	Adopted
O	Valet Trash And Recycling Collection In Group R-2 Occupancies	Adopted

IFC Section 102.13 add a new section to read as follows:

“IFC Section 102.13 (Wildland-urban interface areas) The design and construction of new structures located within wildland-urban interface areas shall comply with the *2025 Colorado Wildfire Resiliency Code version 1.0.*”

IFC Section 103.1 IFC Section 103.1 (Creation of agency) is amended to read as follows:

“The Wellington Fire Protection District is hereby created and the official in charge thereof shall be known as the *fire code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.”

IFC Section 104.8 IFC Section 104.8 (Liability) is amended to read as follows:

“The fire code official, member of the board of appeals, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or a mission or by reason of an act or mission in the discharge of official duties, unless such act or a mission is willful and wanton, as provided in the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S.”

IFC Section 104.8.1 IFC Section 104.8.1 (Legal defense) is amended to read as follows:

“Any suit or criminal complaint instituted against any officer or employee because of an act or mission performed by the officer or employee in the lawful discharge of duties under the provisions of this code, unless such act or a mission is willful and wanton, as provided in the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S. Shall be defended by a legal representative of the jurisdiction until the final termination of the proceedings. The fire code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code: and any officer of the department of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of act or omission in the performance of official duties in connection therewith.”

IFC Section 112.1 IFC Section 112.1 (Board of Appeals) is amended by deleting the last three sentences and inserting the following:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Adjustment.”

IFC Section 112.1.1 IFC Section 112.1.1 (Procedures) is amended to read as follows:

“To request a hearing before the board of appeals, the applicant shall file a request in writing to the fire chief. The fire chief shall arrange for the board of appeals to meet within ten (10) working days from the receipt of the request. All applicable fees as stated in the fire district fee schedule shall be paid at the time the written request is made.”

IFC Section 113.4 IFC Section 113.4 (Violation penalties) is deleted in its entirety.

IFC Section 307.2.2 IFC Section 307.2.2 (Time and Atmospheric Restrictions) is amended to read as follows:

“Open burning shall only be performed when time and atmospheric conditions comply with the limits set forth in the Open Burning Permit.”

IFC Section 307.4.1 IFC Section 307.4.1 (Bonfires) is amended to read as follows:

“A *bonfire* shall not be conducted within 100 ft (30m) of a structure or combustible material unless

the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 100 ft (30m) of a structure shall be eliminated prior to ignition.”

IFC Section 307.4.1.1 Add a new section to read as follows:

“IFC Section 307.4.1.1 (Bonfire size) The fuel package pile for a *bonfire* must be approved prior to ignition and shall not exceed 10 feet in diameter in 8 feet in height unless approved by the *fire code official*. Based on atmospheric conditions, location, adjacent structures, combustible materials or wildland fire danger rating, smaller fuel package piles may be required. Fuels for a bonfire shall be clean, dry, untreated wood products only. Fuel shall not be added to the bonfire once it is ignited without prior approval of the *fire code official*. The use of Class I flammable liquids is prohibited. Class II combustible liquids may only be used prior to ignition and only in accordance with an approved ignition plan.”

IFC Section 307.4.3 IFC Section 307.4.3 (Outdoor Fireplaces) is amended to read as follows:

“Outdoor fireplaces shall be used in accordance with the manufacturer's instructions. Outdoor fireplaces shall not be placed closer to combustibles than stated in the manufacturer's instructions and if the manufacturer's instructions are not available, or do not establish a distance, they shall not be operated within 15 feet of a structure or combustible material. Outdoor fireplaces shall not be operated underneath a structure of any type.”

IFC Section 308.1.7 IFC Section 308.1.7 (Sky lanterns) is amended to read as follows:

“A person shall not release or cause to be released a tethered or an untethered sky lantern.”

IFC Section 503.1 IFC Section 503.1 (Where required) is amended to read as follows:

“Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1 through 503.1.3 and Appendix D “Fire Apparatus Access Roads.”

IFC Section 503.2 IFC Section 503.2 (Specifications) is amended to read as follows:

“Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and Appendix D “Fire Apparatus Access Roads.”

IFC Section 503.2.1 IFC Section 503.2.1 (Dimensions) is amended to read as follows:

“Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 14 feet.”

IFC Section 507.5 IFC Section 507.5 (Fire hydrant systems) is amended to read as follows:

“Fire hydrant systems shall comply with sections 507.5.1 through 507.5.6 and Appendix C.”

IFC Section 606.5 IFC Section 606.5 (Solid-fuel fired appliances) is amended to read as follows:

“Solid fuel commercial cooking appliances shall comply with applicable provisions of NFPA 96.”

IFC Section 701.2.2 Add a new section to read as follows:

“IFC Section 701.2.2 (Fire-resistance-rated labeling) The fire resistance rating of the construction identified in Section 701.2 shall be marked in an approved manner on the fire resistance rated construction feature.”

IFC Section 701.3.1 Add a new section to read as follows:

“IFC Section 701.3.1 (Smoke barriers labeling) The smoke-resistant characteristics of smoke barriers shall be marked in an approved manner on the smoke barrier rated construction feature.”

IFC Section 903.2 IFC Section 903.2 (Where required) is amended to read as follows:

“Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12 and 903.2.13 as amended and 903.2.14 as amended.”

IFC Section 903.2.1 IFC Section 903.2.1(Group A) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings as Group A occupancies as provided in this section.”

IFC Section 903.2.1.1 IFC Section 903.2.1.1 (Group A-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-1 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IFC Section 903.2.1.2 IFC Section 903.2.1.2 (Group A-2) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-2 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 5,000 ft² (464 m²).
2. The *fire area* has an occupant load of 50 or more.”

IFC Section 903.2.1.3 IFC Section 903.2.1.3 (Group A-3) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-3 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IFC Section 903.2.1.4 IFC Section 903.2.1.4 (Group A-4) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing Group A-4 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (557 m²).
2. The *fire area* has an occupant load of 50 or more.”

IFC Section 903.2.1.6 IFC Section 903.2.1.6 (Assembly occupancies on roofs) is amended to read as follows:

“Where an occupied roof has an assembly occupancy with an occupant load exceeding 50 for Group A occupancies, an automatic sprinkler system shall be provided throughout buildings in accordance with Section 903.3.1.1 or 903.3.1.2.

IFC Section 903.2.1.7 IFC Section 903.2.1.7 (Multiple fire areas) is amended to read as follows:

“An automatic sprinkler system shall be provided where multiple *fire areas* of Group A-1, A-2, A-3 or A-4 occupancies share exit or exit access components and the combined occupant load of these *fire areas* is 50 or more.”

IFC Section 903.2.2 IFC Section 903.2.2 (Group B) is amended to read as follows:

“An automatic sprinkler system shall be provided for Group B occupancies as follows:

1. Throughout all Group B *fire areas* greater than 6,000 ft² (557 m²) in area.
2. Where the combined *fire areas* of Group B on all floors, including mezzanines, is greater than 6,000 ft² (577 m²).”

IFC Section 903.2.2.1 IFC Section 903.2.2.1 (Ambulatory care facilities) is amended to read as follows:

“An automatic sprinkler system shall be installed throughout the entire building containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.”

IFC Section 903.2.3 IFC Section 903.2.3 (Group E) is amended to read as follows:

“An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E *fire areas* greater than 6,000 ft² (557 m²) in area.
2. The Group E *fire area* is located on a floor other than a level of exit discharge serving such occupancies.
3. The Group E *fire area* has an occupant load of 50 or more.”

IFC Section 903.2.4 IFC Section 903.2.4 (All Group F-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1—occupancy where one of the following conditions exists:

1. The combined area of all Group F-1 *fire areas*, including any mezzanines exceeds 6,000 ft² (557 m²).
2. A Group F-1 *fire area* is located more than two stories above grade plane.
3. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 ft² (232 m²).”

IFC Section 903.2.6 IFC Section 903.2.6 (Group I) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings with a Group I *fire area*.

Exceptions:

1. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.
2. An automatic sprinkler system is not required where Group I-4 daycare facilities are at the level of exit discharge and where every room where care is provided has not fewer than one exterior exit door.”

IFC Section 903.2.7 IFC Section 903.2.7 (Group M) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 6,000 ft² (557 m²).
2. A Group M *fire area* is located more than two stories above grade plane.”

IFC Section 903.2.9 IFC Section 903.2.9(Group S-1) is amended to read as follows:

“An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. The combined area of all Group S 1 fire areas on all floors, including any mezzanines, exceeds 6,000 ft²(557 m²).
2. A Group S-1 *fire area* is located more than two stories above grade plane.
3. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 ft² (464 m²).
4. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 ft² (46.4 m²)."

IFC Section 903.2.9.1 IFC Section 903.2.9.1 (Repair garages) is amended to read as follows:

"An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the International Building Code, as shown.

1. Buildings with a fire area containing a repair garage exceeding 6,000 ft² (557 m²).
2. Buildings with repair garages servicing vehicles parked in basements.
3. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 ft² (464 m²).
4. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 ft² (46.4 m²)."

IFC Section 903.2.9.2 IFC Section 903.2.9.2 (Bulk storage of tires) is amended to read as follows:

"Buildings and structures where the area for the storage of tires exceeds 10,000 ft³ (566 283 m³) shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1."

IFC Section 903.2.10 IFC Section 903.2.10 (Group S-2 enclosed parking garages) is amended to read as follows:

"An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the International Building Code where either of the following conditions exists:

1. Where the fire area of the enclosed parking garage exceeds 6,000 ft² (557 m²).
2. Where the enclosed parking garage is located beneath other groups.
Exception: Enclosed parking garages located beneath Group R 3 occupancies.
3. Where the fire area of the open parking garage exceeds 6,000 ft² (557 m²)."

IFC Section 903.2.13 Add a new section to read as follows:

"IFC Section 903.2.13 (Mixed Occupancies) An automatic sprinkler system shall be provided throughout all buildings containing mixed occupancies where one of the following conditions exists:

1. The *fire area* exceeds 6,000 ft² (577 m²).
2. Where the combined *fire areas* of mixed occupancies on all floors including mezzanines and basements is greater than 6,000 ft² (577 m²)."

IFC Section 903.2.14 Add a new section to read as follows:

"IFC Section 903.2.14 (Buildings constructed under the International Residential Code) An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be provided throughout all multiple (three or more) attached single-family dwellings (townhouses), complying with the requirements of the International Residential Code.

Exception:

Unless otherwise required by more restrictive local codes, policies, amendments, ordinances, or plat note.”

IFC Section 903.3.1.3 IFC Section 903.3.1.3 (NFPA 13D sprinkler systems) is amended to read as follows:

“Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D and local codes, ordinances, and policies.”

IFC Section 903.3.1.4 Add a new section to read as follows:

“IFC Section 903.3.1.4 (Core and shell buildings) Automatic fire sprinkler systems in buildings constructed to house future tenant spaces that are not assigned an occupancy shall have minimum hazard classification of Ordinary Hazard 2 in accordance with NFPA 13.”

IFC Section 903.4 IFC Section 903.4 (Sprinkler system supervision and alarms) is amended to read as follows:

“Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems valves, pumps, and tanks in one- and two family dwellings.
2. Jockey pump control valves that are sealed or locked in the open position.
3. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
4. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.”

IFC Section 907.8.5 Add a new section to read as follows:

“IFC Section 907.8.5 (Excessive fire alarms) An excessive number of false alarms shall be defined as two (2) alarm activations for a fire alarm system within a 60-day period provided that any such activations are not the result of a cause reasonably beyond the control of the owner, tenant or operator of the building. In the event of an excessive number of false alarms, the fire code official may order the building owner, tenant or operator of the building, or party responsible for the building to take reasonable actions necessary to prevent false alarms. These actions may include repair or replacement of the faulty alarm components, addition of tamper proof devices, modification of system design, and repair of other building components which affect alarm system performance. The fire code official may also require the building owner, tenant or operator or party responsible for the building to obtain an approved maintenance contract with a qualified fire alarm maintenance technician as required by NFPA 72 to provide continuous maintenance service of the system.”

IFC Section 1103.5.3 IFC Section 1103.5.3 (Group I-2, Condition 2) is amended to read as follows:

“In addition to the requirements of Section 1103.5.2, existing buildings of Group I-2, Condition 2 occupancy shall be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1. The automatic sprinkler system shall be installed as established by the adopting ordinance. System to be installed as directed by the *fire code official*.”

IFC Section 1103.5.5 IFC Section 1103.5.5 (Additions and alterations to existing buildings) is amended to read as follows:

“Existing buildings constructed prior to adoption of this code, with a fire area exceeding 6,000 square feet (577 m²), undergoing additions, alterations or remodel work shall be evaluated under the International Fire Code, for the need for additional fire protection. Portions of buildings separated by approved fire walls as outlined in Chapter 7, Section 707 of the 2012 edition of the International Building Code may be considered as separate buildings.”

IFC Section 1103.5.5.1 Add a new section to read as follows:

“IFC Section 1103.5.5.1 Existing buildings with a fire area not exceeding 6,000 sq. ft. (577 m²). An automatic sprinkler system shall be provided throughout a building undergoing an addition and/or alteration work whose new aggregate fire area of the building exceeds 5,000 square feet (464 m²).”

IFC Section 1103.5.5.2 Add a new section to read as follows:

“IFC Section 1103.5.5.2 Existing buildings with a fire area exceeding 6,000 sq. ft. (577 m²). An automatic sprinkler system shall be provided throughout a building undergoing addition work that increases the fire area of the existing building.”

IFC Section 1103.5.5.3 Add a new section to read as follows:

“IFC Section 1103.5.5.3 Alterations to existing buildings with a fire area exceeding 6,000 sq. ft. (577 m²). An automatic sprinkler system shall be provided throughout a building when the area undergoing alterations equals or exceeds 50% of the aggregate fire area of the building. Exception: Alterations limited to the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using the same materials, elements, equipment or fixtures that serve the same purpose.”

IFC Section 5704.2.9.6.1 IFC Section 5704.2.9.6.1 (Locations where above ground tanks are prohibited) is amended to read as follows:

“Storage of Class I and II liquids in above ground tanks in said buildings is prohibited in accordance with local land use code.”

IFC Section 5704.3.3 IFC Section 5704.3.3 (Indoor storage) is amended to read as follows:

“Storage of flammable and combustible liquid inside buildings in containers or portable tank shall be in accordance with sections 5704.4.4.1 through 5704.3.3.10 unless otherwise required by more restrictive local codes, policies, amendments, ordinances, or plat.”

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IFC Appendix B is deleted in its entirety and readopted to read as follows:

APPENDIX B

FIRE-FLOW REQUIREMENTS FOR BUILDINGS

SECTION B101 GENERAL

B101.1 Scope. The procedure for determining fire-flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this appendix. This appendix does not apply to structures other than buildings.

SECTION B102 DEFINITIONS

B102.1 Definitions. For the purpose of this appendix, certain terms are defined as follows.

FIRE-FLOW. The flow rate of a water supply, measured at 20 pounds per square inch (psi) (138 kPa) residual pressure, that is available for firefighting.

FIRE-FLOW CALCULATION AREA The floor area, in square feet (m²), used to determine the required fire flow.

SECTION B103 MODIFICATIONS

B103.1 Decreases. The fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical.

B103.2 Increases. The fire chief is authorized to increase the fire-flow requirements where conditions indicate an unusual susceptibility to group fires or conflagrations. An increase shall not be more than twice that required for the building under consideration

B103.3 Areas without water supply systems. For information regarding water supplies for fire-fighting purposes in rural and suburban areas in which adequate and reliable water supply systems do not exist, the fire code official is authorized to utilize NFPA 1142 or the *International Wildland- Urban Interface Code*.

SECTION B104 FIRE-FLOW CALCULATION AREA

B104.1 General. The fire-flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, except as modified in Section B104.3.

B104.2 Area separation. Portions of buildings which are separated by fire walls without openings, constructed in accordance with the International Building Code, are allowed to be considered as separate fire-flow calculation areas.

B104.3 Type 1A and Type 1B construction. The fire-flow calculation area of buildings constructed of Type 1A and Type 1B construction shall be the area of the three largest successive floors.

Exception:

Fire-flow calculation area for open parking garages shall be determined by the area of the largest floor.

SECTION B105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS

B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two- family dwellings shall be 1,000 gallons per minute in urban areas and 500 gallons per minute in rural areas.

Exception:

A reduction in required fire flow of 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system.

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105

Table B105

APPLICATION	FIRE FLOW REQUIREMENTS (gpm)	SPACING BETWEEN HYDRANTS (feet) ^{a,b,c}	MAXIMUM DISTANCE FROM THE CLOSEST POINT ON A BUILDING TO A HYDRANT (feet) ^e
Commercial/ Multifamily	1,500	600	300 ^d
One- & Two- Family Dwelling - Urban	1,000	800	400
One- & Two- Family Dwelling - Rural	500	800	400

- a) Reduce by 100 feet for dead-end streets or roads
- b) Where streets are provided with median dividers that cannot be crossed by fire fighters pulling hose lines, or are arterial streets, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis.
- c) Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards
- d) For buildings equipped with a standpipe, see Section 507.5.1.1.

B105. Water supply for buildings equipped with an automatic sprinkler system. For buildings equipped with an approved automatic sprinkler system, the water supply shall be capable of providing the greater of:

1. The automatic sprinkler system demand, including hose stream allowance.
2. The required fire-flow.

IFC Appendix C is deleted in its entirety and readopted to read as follows:

APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION

SECTION C101 GENERAL

C101.1 Scope. Fire hydrants shall be provided in accordance with this appendix for the protection of buildings, or portions of buildings, hereafter constructed or moved into the jurisdiction.

SECTION C102 LOCATION

C102.1 Fire hydrant locations. Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets.

SECTION C103 NUMBER OF FIRE HYDRANTS

C103.1 Fire hydrants available. The number of fire hydrants available to a complex or subdivision shall not be less than that determined by spacing requirements listed in Table B105 when applied to fire apparatus access roads and perimeter public streets from which fire operations could be conducted

SECTION C104 CONSIDERATION OF EXISTING FIRE HYDRANTS

C104.1 Existing fire hydrants. Existing fire hydrants on public streets are allowed to be considered as available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads

SECTION C105 DISTRIBUTION OF FIRE HYDRANTS

C105.1 Hydrant spacing. The average spacing between fire hydrants shall not exceed that listed in Table B105. Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building are within the distances listed in Table B105.

Exception:

The fire chief is authorized to accept a deficiency of up to 10 percent where existing fire hydrants provide all or a portion of the required fire hydrant service.

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IFC Appendix D is deleted in its entirety and readopted to read as follows:

APPENDIX D FIRE APPARATUS ACCESS ROADS

SECTION D101 GENERAL

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the International Fire Code.

SECTION D102 REQUIRED ACCESS

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 80,000 pounds (36,287 kg).

D102.2 Access road construction. All access roadways must be all weather driving surfaces capable of supporting fire apparatus. Surface shall be asphalt, concrete, or compacted road base and engineered for the imposed loads

D102.2.1 Temporary emergency access. Compacted road base or chip shall only be used for a temporary emergency access. Temporary access shall be available as long as the site is under construction. Thereafter permanent fire lanes shall be accessible and unobstructed at all times.

D102.2.2 Permanent emergency access. All permanent points of access shall be hard decks consisting of asphalt or concrete designed to HS 20 or support 40 tons (36,287 kg). Compacted road base or other surfaces engineered and capable of supporting the imposed loads may be approved for ground mounted solar installations, cell towers and similar isolated facilities and structures when approved by the fire code official.

D102.2.2 Installation timing. All required access roads must be installed and serviceable before aboveground construction begins.

SECTION D103 MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7,925 mm) exclusive of shoulders

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. Exception: Grades steeper than 10 percent as approved by the fire code official. (See section D105.5 for aerial fire apparatus access roads.)

D103.3 Turning radius. The minimum turning radius shall be 25 feet inside radius and 50 feet outside radius

D103.4 Angle of Approach/Departure. Grade changes upon a Fire Apparatus Access Road or when entering or exiting from or to a Fire Apparatus Access Road shall not exceed a 10 percent Angle of Approach or Angle of Departure.

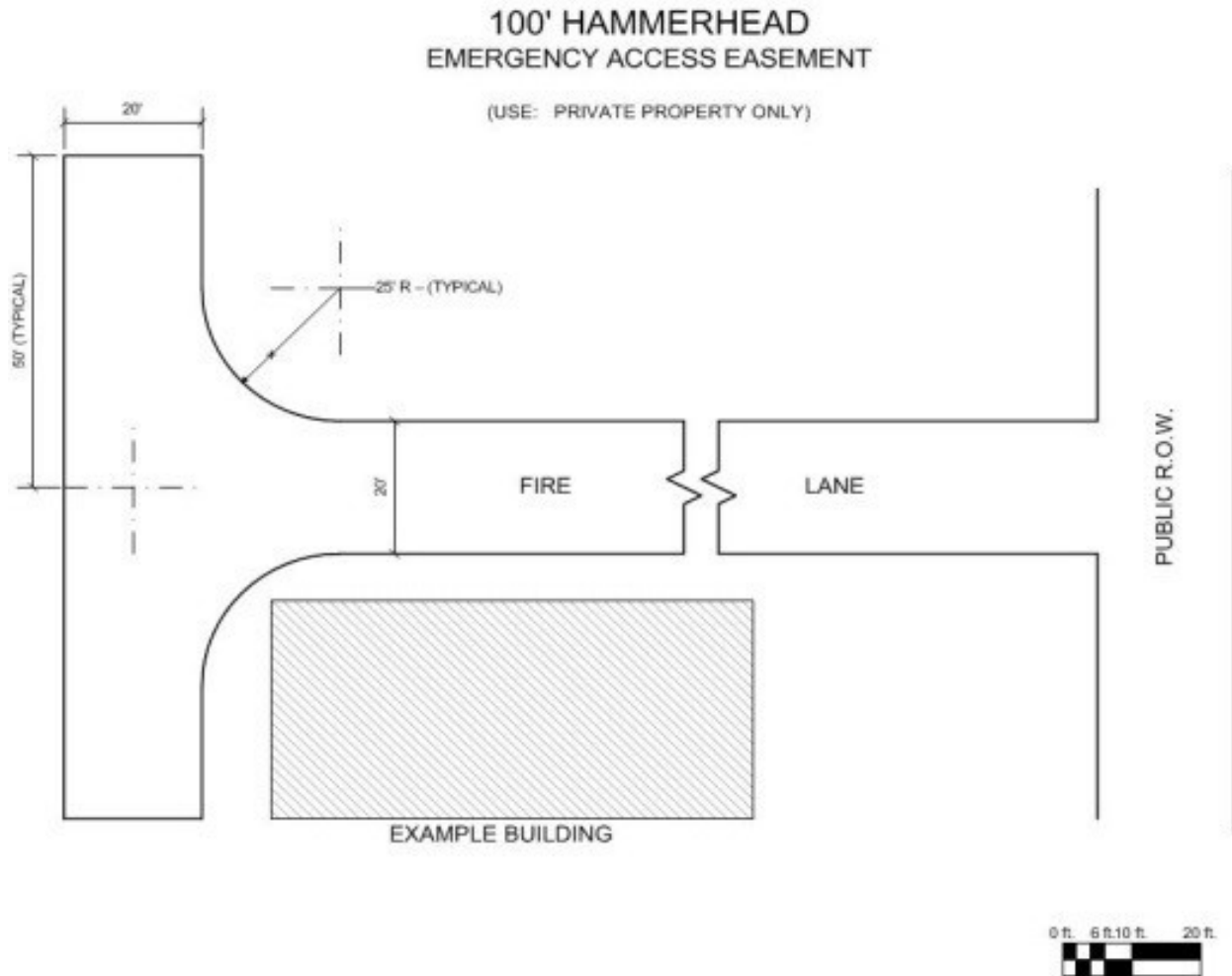


Figure D103.1

100' DIAMETER
CUL-DE-SAC
FOR USE ON PUBLIC OR PRIVATE PROPERTY

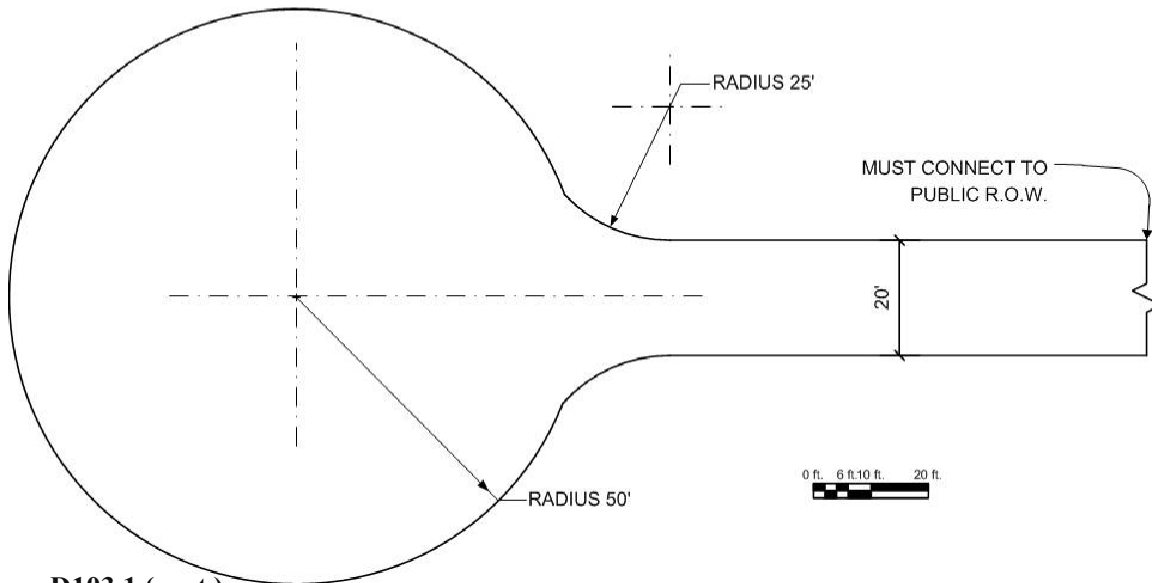


Figure D103.1 (cont.)

ALTERNATIVE HAMMERHEAD
EMERGENCY ACCESS EASEMENT
(FIRE LANE)
USE: PRIVATE PROPERTY ONLY

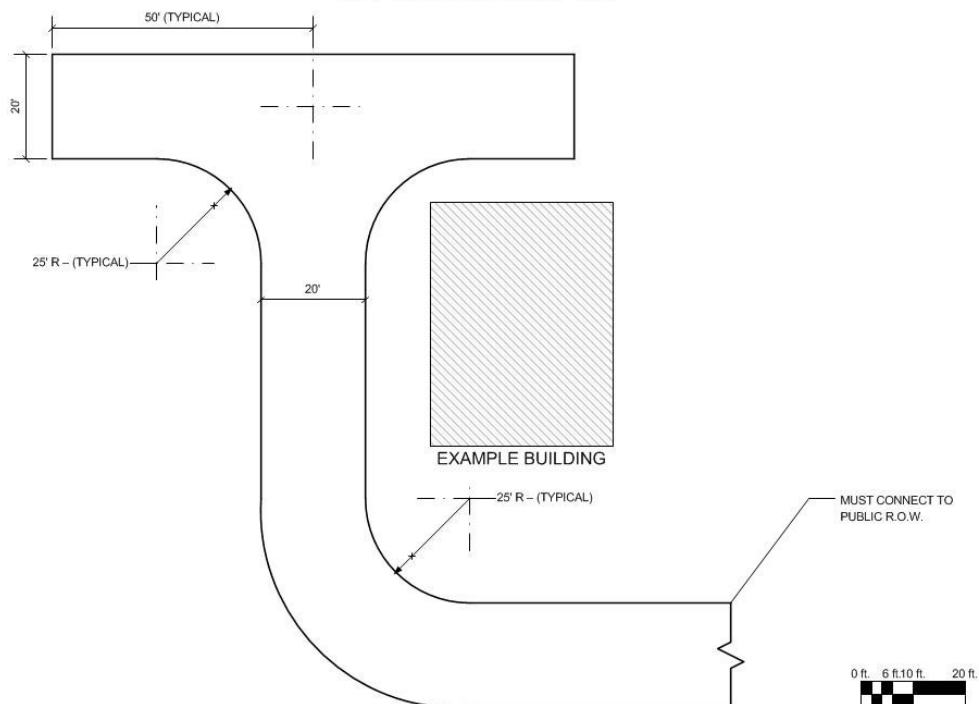


Figure D103.1 (cont.)

D103.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (46 m) shall be provided with width and turnaround provisions in accordance with Table D103.4.

TABLE 103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-660	20	100-foot hammerhead, 100-foot cul-de-sac in accordance with Figure D103.1
Over 660	Special Approval Required	

D103.5.1 Second Point of Access Required. A second point of access shall be required when the primary access roadway exceeds 660 feet (201 m) in length.

Exception: Where all dwelling units beyond 660 feet (201 m) are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3, access from two directions shall not be required.

D103.5.2 Third Point of Access Required. A third point of access will be required when any access road exceeds a distance of 1320 feet (1/4 mile) (402 m) in length

Exception:

Where all dwelling units beyond 660 feet (201 m) are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3, access from only two directions shall be required.

D103.5.3 Fourth Point of Access Required. A fourth point of access will be required when access road exceeds a distance of 2640 feet (1/2 mile) (804 m) in length

Exception:

Where all dwelling units beyond 660 feet (201 m) are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3, access from only three directions shall be required

D103.5.4 Access location. Where two or more points of access are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line.

D103.6 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria

1. Where a single gate is provided, the gate width shall be not less than 20 feet (6,096 mm). Where a fire apparatus road consists of a divided roadway, the gate shall be not less than 12 feet (3,658 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices must be approved by the fire code official.
6. Methods of locking the gate must be approved by the fire code official.
7. Manual opening gates shall not be locked with a padlock or chain and padlock unless the padlock is approved by the fire code official and is compatible with the approved Key Boxes in use by the fire department.
8. Gate design and locking device specifications shall be submitted for approval by the fire code official prior to installation.
9. Electric gate operators, where provided, shall be listed in accordance with UL325.
10. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F 2200.

D103.7 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs complying with Figure D 103.6 or other approved sign. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by section D103.6.1 or D103.6.2.

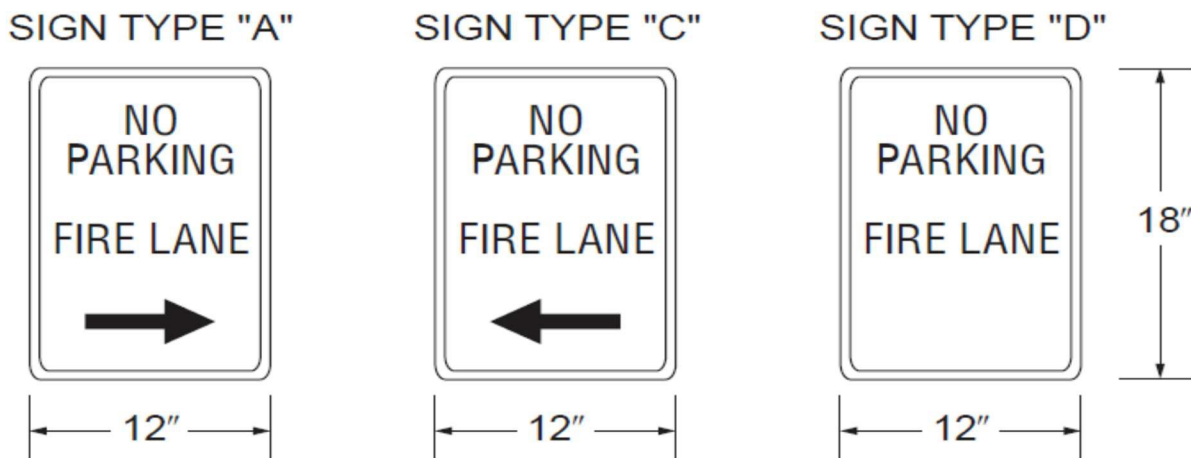


FIGURE D103.7 FIRE LANE SIGNS

D103.7.1 Roads 20 to 26 feet in width. Fire lane signs as specified in D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6,096 to 7,925 mm).

D103.7.2 Roads more than 26 feet in width. Fire lane signs as specified in D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7,925 mm) and less than 32 feet wide (9,754 mm).

D103.7.2 Minimum Overhead Clearance. Fire access roads shall have a minimum overhead clearance for the entire width of the access road of not less than 14 feet (4,267 mm).

SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9,144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.

Exception:

Buildings or facilities exceeding 30 feet (9,144 mm) or three stories in height may have a single approved fire apparatus access road when the buildings are equipped throughout with approved automatic sprinkler systems.

D104.2 Buildings exceeding 62,000 ft² in area. Buildings or facilities having a gross building area of more than 62,000 ft² (5,760 m²) shall be provided with two separate and approved fire apparatus access roads.

Exception:

Projects having a gross building area of up to 124,000 ft² (11,520 m²) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

SECTION D105 AERIAL FIRE APPARATUS ACCESS ROADS

D105.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9,144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

D105.2 Width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7,925 mm), exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet (9,144 mm) in height if the fire access road is not a dead end. Dead end fire apparatus access roads for aerial apparatus access shall be a minimum of 30 feet (9,144 mm) wide

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4,572 mm) and a maximum of 30 feet (9,144 mm) from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

D105.5 Grade. Aerial fire apparatus access roads adjacent to the building shall not exceed five percent in grade.

SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception:

Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3 1.1.

D106.2 Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads and that comply with Section D103.4.4.

Exceptions:

Where there are more than 30 dwelling units on a single public or private fire apparatus

access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3, access from two directions shall not be required.

D107.2 Future Connections. The number of dwelling units on a single fire apparatus access road shall not exceed 30 dwelling units unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Sec. 18-7-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Fire Code or this Chapter.

Sec. 18-7-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 7. 2025 Colorado Wildfire Resiliency Code. The Board of Trustees hereby adds a new Article 7.5, Chapter 18 of the Wellington Municipal Code to read as follows:

Sec. 18-7.5-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the wildfire resiliency code of the Town, by reference thereto, The 2025 Colorado Wildfire Resiliency Code version 1.0, Chapters 1 through 5 inclusive, as promulgated by the Colorado Department of Public Safety and Colorado Division of Fire Prevention and Control pursuant to SB23-166, CRS 25-33-.5-1236, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code establishes minimum regulations for the safeguarding of life and for property protection intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-7.5-20. Copy on file.

At least one (1) copy of the Wildfire Resiliency Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-7.5-30. Amendments. – Reserved

Sec. 18-7.5-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Wildfire Resiliency Code or this Chapter.

Sec. 18-7.5-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 8. International Energy Conservation Code. The Board of Trustees hereby repeals Article 8, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-8-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the energy code of the Town, by reference thereto, The International Energy Conservation Code, 2024 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 6 commercial, Chapters 1 through 6 residential including, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code establishes minimum regulations for energy conservation within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-8-20. Copy on file.

At least one (1) copy of the International Energy Conservation Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-8-30. Amendments.

IECC Section C101.1 IECC Section C101.1 (Title) is amended by the addition of the term "Town of Wellington" where indicated.

IECC Section C103.1 IECC Section 103.1 (Creation of Agency) is amended by adding "Town of Wellington" where indicated.

IECC Section C103.2 IECC Section C103.2 (Appointment) is amended by the deletion of this section in its entirety.

IECC Section C109.1 IECC Section 109.1 (General) is amended by deleting the last three paragraphs and inserting the following:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Adjustment.”

IECC Section C109.3 IECC Section 109.3 (Qualifications) is amended by the deletion of this section in its entirety.

IECC Section R101.1 IECC Section R101.1 (Title) is amended by the addition of the term “Town of Wellington” where indicated.

IECC Section R103.1 IECC Section R103.1 (Creation of enforcement agency) is amended by adding “Town of Wellington” where indicated.

IECC Section R103.2 IECC Section R103.2 (Appointment). is amended by the deletion of this section in its entirety.

IECC Section R405.2 IECC Section R405.2 (Simulated building performance compliance) part 3 is amended to read as follows:

“For all dwelling units, the annual energy cost of the proposed design shall be less than or equal to 85 percent of the annual energy cost of the standard reference design. For each dwelling unit with greater than 5000 square feet of living space located above grade plane, the annual energy cost of the dwelling unit shall be reduced by an additional 5 percent of annual energy cost of the standard reference design. Energy prices shall be taken from an approved source, such as the US Energy Information Administration’s State Energy Data system prices and expenditures reports. Code official shall be permitted to require time-of-use pricing in energy cost calculations.

Sec. 18-8-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Energy Code or this Chapter.

Sec. 18-8-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 9. Colorado Model Electric Ready and Solar Ready. The Board of Trustees hereby adds a new Article 8.5, Chapter 18 of the Wellington Municipal Code to read as follows:

Sec. 18-8.5-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the electric ready and solar ready code of the Town, by reference thereto, The Colorado Model Electric Ready and Solar Ready Code, Chapters 1 through 5 inclusive, as promulgated by the Colorado Department of Local Affairs, and Colorado Energy Office pursuant to HB22-1362, CRS 24-38.5-401(5), to

have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code establishes minimum regulations for the design and construction of buildings to prepare new buildings for solar photovoltaic or solar thermal, electric vehicle charging infrastructure, and electrification of building systems and to provide flexibility for accommodating solar and electric systems while balancing upfront costs of construction within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-8.5-20. Copy on file.

At least one (1) copy of the Wildfire Resiliency Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-8.5-30. Amendments. – Reserved

Sec. 18-8.5-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Wildfire Resiliency Code or this Chapter.

Sec. 18-8.5-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 10. International Property Maintenance Code. The Board of Trustees hereby repeals Article 9, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-9-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the property maintenance code of the Town, by reference thereto, The International Property Maintenance Code, 2024 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8 inclusive, The subject matter of the adopted code establishes minimum regulations for property maintenance within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-9-20. Copy on file.

At least one (1) copy of the International Property Maintenance Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-9-30. Amendments.

IPMC Section 101.1 IPMC Section 101.1 (Title) is amended by the addition of the term “Town of Wellington” where indicated.

IPMC Section 102.3 IPMC Section 102.3 (Application of Other Codes) is amended by the deletion of the last paragraph.

IPMC Section 103.1 IPMC Section 103.1 (Creation of Agency) is amended by the addition of the term “Town of Wellington” where indicated.

IPMC Section 104.1 IPMC Section 104.1 (Fees) is amended by deleting the section in its entirety.

IPMC Section 104.2 IPMC Section 104.2 (Refunds) is amended by deleting the section in its entirety.

IPMC Section 106.1 IPMC Section 106.1 (General) is amended by deleting the second paragraph and inserting the following:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Adjustment.”

IPMC Section 106.3 IPMC Section 106.3 (Qualifications) is amended by deleting the section in its entirety.

IPMC Section 302.3 IPMC Section 302.3 (Sidewalks and Driveways) is amended by the deletion of this section in its entirety.

IPMC Section 302.4 IPMC Section 302.4 (Weeds) is amended by deleting this section in its entirety.

IPMC Section 302.8 IPMC Section 302.8 (Motor Vehicles) is amended by deleting this section in its entirety.

IPMC Section 304.14 IPMC Section 304.14 (Insect Screens) is amended by the deletion of this section in its entirety.

IPMC Section 308 IPMC Section 308 (Rubbish and Garbage) is amended by the deleting this section in its entirety.

IPMC Section 309 IPMC Section 309 (Pest Elimination) is amended by the deletion of this section in its entirety.

Sec. 18-9-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Property Maintenance Code or this Chapter.

Sec. 18-9-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 11. International Existing Building Code. The Board of Trustees hereby repeals Article 10, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-10-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the existing building code of the Town, by reference thereto, The International Existing Building Code, 2024 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 16 inclusive, The subject matter of the adopted code establishes minimum regulations for exceptions to the building codes for existing buildings within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-10-20. Copy on file.

At least one (1) copy of the International Existing Building Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-10-30. Amendments.

International Existing Building Code is amended by replacing all references to "International Fire Code" with "Adopted Fire Code".

IEBC Section 101.1 IEBC Section 101.1 (Title) is amended by the addition of the term "Town of Wellington" where indicated.

IEBC Section 103.1 IEBC Section 103.1 (Creation of Agency) is amended by adding "Town of Wellington" where indicated.

IEBC Section 1401.2 IEBC Section 1401.2 (Conformance) is amended by deleting the section in its entirety and replacing it with the following:

"Structures moved into or within the jurisdiction shall comply with the provision of this code for new structures."

Sec. 18-10-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Existing Building Code or this Chapter.

Sec. 18-10-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 12. Swimming Pool and Spa Code. The Board of Trustees hereby repeals Article 11, Chapter 18 of the Wellington Municipal Code and reenacts the same Article to read as follows:

Sec. 18-11-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the swimming pool and spa code of the Town, by reference thereto, The International Swimming Pool and Spa Code, 2024 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 11 inclusive, The subject matter of the adopted code establishes minimum regulations for exceptions to the building codes for existing buildings within the Town for the purpose of protecting the public health, safety and general welfare.

Sec. 18-11-20. Copy on file.

At least one (1) copy of the International Swimming Pool and Spa Code, certified to be a true copy, has been and is now on file in the Town Building Department and may be inspected by any interested person during regular business hours. The code as finally adopted shall be available for sale to the public at a price established in the Town's adopted Fee Schedule.

Sec. 18-11-30. Amendments.

ISPSC Section 103.1 ISPSC Section 103.1 (Creation of Agency) is amended by adding "Town of Wellington" where indicated.

Sec. 18-11-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Swimming Pool and Spa Code or this Chapter.

Sec. 18-11-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code or this Chapter, shall be subject to penalties as prescribed by law.

Section 13. Severability. Should any one or more sections or provisions of this Ordinance or of any of the primary or secondary codes adopted by reference be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or the codes adopted by reference hereby, the intention being that the various sections and provisions are severable.

Section 14. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 15. Effective Date. Except as otherwise expressly provided herein, the provisions enacted by this Ordinance shall become effective at 12:01 a.m. on January 1, 2026.

READ AND INTRODUCED this 14th day of October, 2025 and public hearing scheduled for November 12, 2025.

TOWN OF WELLINGTON

By: _____
Calar Chaussee, Mayor

ATTEST:

By: _____
Hannah Hill, Town Clerk

PASSED AND ADOPTED by the Board of Trustees of the Town of Wellington, Colorado following a public hearing hereon and ordered published this 12th day of November, 2025.

TOWN OF WELLINGTON

By: _____
Calar Chaussee, Mayor

ATTEST:

By: _____
Hannah Hill, Town Clerk

Board of Trustees Meeting

Date: November 12, 2025

Subject: Resolution No. 48-2025 A Resolution by the Town of Wellington, Colorado Committing to Diversify and Secure the Town's Long-Term Water Supply

- **Presentation: Meagan Smith, Deputy Director of Public Works**

EXECUTIVE SUMMARY

The Town of Wellington has historically relied on a 1983 Water Supply Agreement with North Poudre Irrigation Company (NPIC) as its primary raw water supply. Significant cost increases under this agreement, combined with slow but ongoing renegotiation efforts, have accelerated the need for water supply diversification. While progress continues toward a new agreement with NPIC, one of the most likely outcomes will be a termed agreement rather than a permanent supply. Additionally, although new terms are expected to be more cost-effective than current terms, they will remain expensive for the Water Fund. Following completion of the Water Source Development Plan and a Board of Trustees discussion on September 23, 2025, staff recommends adoption of a resolution committing to pursue alternative water supplies and evaluate innovative projects, including a confined aquifer, storage, and recovery option presented by Front Range H2O Transfer, LLC (FRH2O), known as the VITA Project.

BACKGROUND / DISCUSSION

The Town of Wellington entered into a Water Supply Agreement with NPIC in 1983 to secure raw water for municipal use. For over four decades, this agreement has served as a primary raw water supply for the Town. However, in recent years, the cost per acre-foot under this agreement has increased significantly, rising from \$765 per acre-foot in 2015 to a high of \$3,785 per acre-foot in 2023. Efforts to renegotiate more favorable terms have been slow, though forward progress continues. Based on current discussions, a new agreement with NPIC will likely be a termed agreement rather than a permanent supply, making it imperative for the Town to secure additional raw water sources to ensure long-term sustainability. While the anticipated terms of a new agreement with NPIC will be more cost-effective than current terms, they will still represent a significant expense for the Water Fund.

To address these challenges, the Town completed a Water Source Development Plan earlier in 2025 to evaluate future water supply needs and identify viable options for diversification. The plan analyzed current raw water sources for the Town, current and projected water demands, current and projected financial capacity of the Water Fund, and potential new water sources, including renewable and non-renewable supplies. Findings were presented to the Board of Trustees on September 23, 2025, where staff solicited feedback on whether to formalize water supply planning directions through a resolution. The Board expressed support for pursuing a diversified water portfolio to ensure reliability and cost-effectiveness.

One option identified in the Water Source Development Plan is the purchase of non-tributary groundwater rights, treated and delivered, from FRH2O through the VITA Project. This project presents an opportunity to access a confined aquifer supply, including access to storage, that could provide long-term reliability. Staff seeks formal direction from the Board to conduct due diligence on this project, including technical, financial, and legal feasibility, as part of the Town's broader commitment to water supply diversification.



This proposed resolution aligns with the Colorado Water Plan and Colorado Revised Statutes Comprehensive Plan Requirements, C.R.S. 30-28-106(3)(a.5) and 31-23-206(1.5). The Colorado Water Plan emphasizes resilient planning and a diversified water portfolio, including renewable and non-renewable sources, reuse, and conservation. The Colorado Revised Statutes requirements underscore the need for proactive and diversified water planning at the local level.

CONNECTION WITH ADOPTED MASTER PLANS

This action aligns with the following master plans:

- Wellington Water Source Development Plan
- Wellington 2021 Comprehensive Plan

This action aligns with the following 2025-2029 Strategic Plan objectives:

- Grow Responsibly Goal 1 – Proactively maintain and improve utilities, streets, and built environment.
- Ensure Strong Town Operations Goal 6 – Leverage and expand external relationships.
- Foster Economic Vibrancy Goal 4 – Align and develop visions related to economic development.

FISCAL IMPLICATIONS

Adoption of the resolution does not immediately obligate funds but directs staff to explore:

- Technical and financial feasibility of the VITA Project
- Funding and partnership opportunities through state, federal, private, and innovative financing sources

Future fiscal impacts will be presented to the Board of Trustees as projects advance.

STAFF RECOMMENDATION

Staff recommends adoption of Resolution No. 48-2025, a Resolution by the Town of Wellington, Colorado Committing to Diversify and Secure the Town's Long-Term Water Supply.

MOTION RECOMMENDATION

Move to adopt Resolution No. 48-2025, a Resolution by the Town of Wellington, Colorado Committing to Diversify and Secure the Town's Long-Term Water Supply.

ATTACHMENTS

1. Resolution No. 48-2025 - Commitment to Diversify and Secure Tonw's Long-term Water Supply

TOWN OF WELLINGTON

RESOLUTION NO. 48-2025

A RESOLUTION BY THE TOWN OF WELLINGTON, COLORADO COMMITTING TO DIVERSIFY AND SECURE THE TOWN'S LONG-TERM WATER SUPPLY

WHEREAS, the Town of Wellington has completed a Water Source Development Plan identifying future water supply challenges and opportunities; and

WHEREAS, the Town of Wellington relies on a water supply agreement with the North Poudre Irrigation Company, which has experienced significant cost increases in recent years, making it an unsustainable option as the Town's primary raw water supply; and

WHEREAS, Colorado faces increasing water scarcity due to population growth, drought, and climate variability, requiring proactive planning; and

WHEREAS, the Colorado Water Plan encourages local governments to pursue diversified water portfolios, including renewable and non-renewable sources, reuse, and conservation; and

WHEREAS, private entities are developing projects to access confined aquifers that could provide long-term reliability for municipal water needs; and

WHEREAS, the Town of Wellington Board of Trustees recognizes the importance of collaborating with regional partners and private developers to secure sustainable water supplies.

NOW, THEREFORE, be it resolved by the Board of Trustees for the Town of Wellington, Colorado, as follows:

1. The Board of Trustees commits to actively pursue alternative water supplies to supplement existing sources and reduce reliance on any single supply.
2. The Board of Trustees will evaluate opportunities to participate in confined aquifer projects and other innovative water development initiatives.
3. The Board of Trustees will prioritize water supply diversification in future planning and budgeting.
4. The Board of Trustees directs staff to seek funding and partnerships through all available sources, including state and federal programs, private entities, and innovative financing opportunities, to implement these strategies.
5. The Board of Trustees directs staff to actively pursue, analyze, and assess the feasibility of purchasing non-tributary groundwater rights, to include treatment and delivery, from Front Range H2O Transfer, LLC, including technical, financial, and legal considerations.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of November, 2025.

TOWN OF WELLINGTON, COLORADO

By: _____
Calar Chaussee, Mayor

ATTEST:

Hannah Hill, Town Clerk



Board of Trustees Meeting

Date: November 12, 2025

Subject: Resolution No. 49-2025 A Resolution by the Town of Wellington, Colorado Supporting the Northern Colorado Water Alliance and the Associated Northern Colorado Water Principles

- **Presentation: Meagan Smith, Deputy Director of Public Works**

EXECUTIVE SUMMARY

The Town of Wellington has been a member of the Northern Colorado Water Alliance since 2022. The Alliance is a collaborative group of municipalities, water districts, counties, and other entities working together to address regional water challenges. This agenda item is to consider a resolution adopting the principles established by the Alliance, which promote collaboration, protect water resources, and ensure a resilient future for Northern Colorado.

Mission Statement of the Northern Colorado Water Alliance: Collaborating and educating for the protection of water resources and systems to ensure a resilient future for the northern Colorado Front Range.

BACKGROUND / DISCUSSION

The Northern Colorado Water Alliance was formed to address shared water-related challenges in the region, including increasing demand, rising costs, complex governance structures, and risks associated with water transfers outside the region. When water is diverted from Northern Colorado to other regions, the economic value of that water, including agricultural production, local jobs, and community investment, leaves with it. The loss has the potential to impact housing affordability, economic development, and the cultural character of the region.

The Alliance provides a forum for education, collaboration, and coordinated action among its 17+ member organizations, with membership still growing. The principles outlined in the resolution emphasize transparency, respect for Colorado's water rights system, collaboration on infrastructure and resiliency projects, and efforts to retain water for local beneficial use. They also recognize the economic and cultural importance of water for agricultural, environmental, and recreational purposes. While the Alliance is not a decision-making body, its principles serve as a framework for member organizations to guide policy and planning efforts.

Several entities have already adopted these principles, demonstrating strong regional support:

- Larimer County – Approved by Board of County Commissioners
- Windsor – Approved by Town Board
- Greeley – Approved by Water & Sewer Board
- Timnath – Approved by Town Council
- Little Thompson Water District – Approved by Board of Directors
- Northern Water – Approved by Board of Directors
- Johnstown – Approved by Town Council
- Severance – Approved by Town Council

By adopting these principles, the Town confirms its commitment to regional cooperation, supports efforts to mitigate risks associated with transfers of water to the Denver metropolitan area, and aligns with the Alliance's mission of protecting water resources and systems for a resilient future.

CONNECTION WITH ADOPTED MASTER PLANS

This action aligns with the following 2025-2029 Strategic Plan objectives:

- Grow Responsibly Goal 1 – Proactively maintain and improve utilities, streets, and built environment.
- Ensure Strong Town Operations Goal 6 – Leverage and expand external relationships.
- Foster Economic Vibrancy Goal 4 – Align and develop visions related to economic development.

FISCAL IMPLICATIONS

Adoption of the resolution does not create an immediate fiscal impact. Future costs associated with collaborative projects or initiatives will be presented to the Board of Trustees for consideration as they arise.

STAFF RECOMMENDATION

Staff recommends adoption of Resolution No. 49-2025, a Resolution by the Town of Wellington Supporting the Northern Colorado Water Alliance and the Associated Northern Colorado Water Principles.

MOTION RECOMMENDATION

Move to adopt Resolution No. 49-2025, a Resolution by the Town of Wellington Supporting the Northern Colorado Water Alliance and the Associated Northern Colorado Water Principles.

ATTACHMENTS

1. Resolution No. 49-2025 - Northern Colorado Water Principles
2. NoCO WA 2024 Overview One-Pager

TOWN OF WELLINGTON

RESOLUTION NO. 49-2025

A RESOLUTION BY THE TOWN OF WELLINGTON, COLORADO SUPPORTING THE NORTHERN COLORADO WATER ALLIANCE AND THE ASSOCIATED NORTHERN COLORADO WATER PRINCIPLES

WHEREAS, Members of the Northern Colorado Water Alliance represent a variety of special districts, municipal and county governments, and utilities facing different jurisdictional opportunities and challenges regarding the protection of water; and

WHEREAS, The citizens, civic leaders, water providers, and other water users of Northern Colorado have gone to extraordinary lengths since the 1860s to responsibly plan for, develop, and operate complex water systems that are essential to the region's economy and quality of life; and

WHEREAS, The citizens, civic leaders, water providers, and other water users of Northern Colorado are currently making significant investments in additional projects to increase water system resiliency, meet future demands, and provide a greater level of water security in the region; and

WHEREAS, Northern Colorado's high quality of life is tied to the health and well-being of communities and depends directly on the availability of water resources; and

WHEREAS, Nothing in this resolution is intended to cause harm to Northern Colorado communities or infringe on the ability of members to fulfill their organizational missions; and

WHEREAS, Water is a building block of the regional economy and is critical to the further economic development of the region; and

WHEREAS, Collaboration and partnerships among water providers and other entities in Northern Colorado enable agreements to develop, maintain, and improve water storage, delivery, and treatment infrastructure that benefit water users in the region; and

WHEREAS, Each water provider has the right to acquire sufficient water resources to meet its water users' current and future demand; and

WHEREAS, Each individual water right owner has the right to sell and/or transfer their water rights; and

WHEREAS, It is the intent of the Northern Colorado Water Alliance to be transparent with water right owners and mutual ditch companies that manage water rights and not to diminish the value of those rights or alter the water market; and

WHEREAS, We respect Colorado's current system of water rights that is based on the doctrine of prior appropriation and other federal, state, and local laws and regulations that honor rights and obligations under existing permits, approvals, and agreements; and

WHEREAS, Availability of water for agricultural, environmental, and recreational uses is tied to the economic and cultural value and character of the region; and

WHEREAS, The parties will, in their discretion and in good faith, interpret and implement the stated goals.

NOW, THEREFORE, be it resolved by the Board of Trustees for the Town of Wellington, Colorado, as follows:

1. The Town of Wellington will support efforts to retain water for local beneficial use by discouraging the further transfer of water to entities within the Denver metropolitan area; and will support efforts to seek appropriate mitigation to offset impacts to affected communities in circumstances where water must be transferred to the Denver metropolitan area.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of November, 2025.

TOWN OF WELLINGTON, COLORADO

By: _____
Calar Chaussee, Mayor

ATTEST:

Hannah Hill, Town Clerk

Northern Colorado Water Alliance

ABOUT THE ALLIANCE

The Northern Colorado Water Alliance (NoCO WA) is a collaborative forum for representatives of water providers in the northern Colorado Front Range region. The forum is used to discuss, learn about, and take action on not only the water-focused *issues* affecting the region's communities but also each organization's *approach* to addressing these challenges. Members recognize that there are mutual interests across water providers in the region and that a collaborative approach is needed to achieve the group's goal of successfully protecting water.

Water providers in the region face a series of risks and challenges that prompted the formation of the Alliance. These include communication-focused challenges, such as siloed water knowledge and complex regional systems, as well as governance challenges, such as tensions between different types of water users. Challenges also include those beyond members' direct control, such as concerning hydrological conditions, users' increasing demand for water, and economic conditions increasing the cost of infrastructure projects. Municipal members also face the risk of rising water costs' impacts on the cost of development, which may impede their housing affordability goals. This underscores another challenge: different types of water providers' varying levels of involvement in local land use planning/control. Recent purchases of water rights from entities outside of the region present another risk to protecting the region's water supplies.

Because the Alliance itself is not a decision-making body, takeaways from discussions are intended to inspire member organizations to adopt new approaches and techniques to mitigate the water-related risks and challenges affecting the region as a whole or individual communities within it.

The mission of the Northern Colorado Water Alliance:

Collaborating and educating for the protection of water resources and systems to ensure a resilient future for the northern Colorado Front Range.

MEMBERSHIP

The Alliance is convened by the **Community Foundation of Northern Colorado** and has 17 diverse member organizations, including the following local municipalities, water districts, counties, and other special districts:

Municipalities:

- | | | |
|-------------------------|----------------------|-----------------------|
| → Berthoud, Town of | → Greeley, City of | → Severance, Town of |
| → Eaton, Town of | → Johnstown, Town of | → Timnath, Town of |
| → Evans, City of | → Loveland, City of | → Wellington, Town of |
| → Fort Collins, City of | → Milliken, Town of | → Windsor, Town of |

Water Districts:

- North Weld County WD
- Little Thompson WD

Other Special Districts:

- Platte River Power Authority
- Northern Water

Counties:

- Larimer County

Board of Trustees Meeting

Date: November 12, 2025

Subject: NOCO Humane - 3rd Quarter 2025 Service Report

EXECUTIVE SUMMARY

The NOCO Humane 3rd Quarter 2025 Service Report is attached for review.

BACKGROUND / DISCUSSION

N/A

CONNECTION WITH ADOPTED MASTER PLANS

N/A

FISCAL IMPLICATIONS

N/A

STAFF RECOMMENDATION

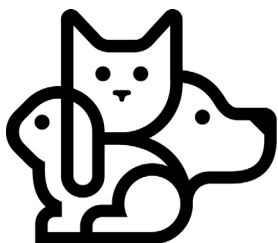
Review and retain report.

MOTION RECOMMENDATION

N/A

ATTACHMENTS

1. NOCO Humane - 3rd Quarter 2025 Service Report



NOCO HUMANE

Animal Control and Sheltering Services Quarterly Jurisdictional Report

Jurisdiction: Wellington

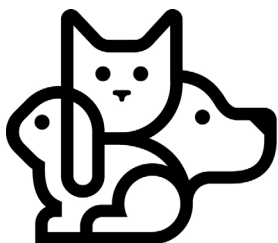
Reporting period: 07/01/2025-09/30/2025

License Report

1)	Number of Licenses issued to residents_____	320
2)	Total License Fees Collected from Residents_____	\$ 5,185
3)	Total Licenses issued_____	12,094

Animal Facility Report

1)	Domestic Animals Impounded from Jurisdiction_____	29
a)	Field_____	7
b)	Over the Counter_____	22
2)	Number of Domestic Animals Impounded at Facility_____	1,905
3)	Number of Wild Animals Impounded from Jurisdiction_____	3
a)	Field_____	3
b)	Over the Counter_____	0
4)	Number of Wild Animals Impounded at Facility_____	415
5)	Total number of animals impounded from Jurisdiction_____	32
6)	Number of Dead animals brought to Facility from Jurisdiction_____	3
7)	Number of animals from jurisdiction seen by Veterinary Services Staff_____	11
8)	Number of Impound Days for Animals Impounded from Jurisdiction_____	302
9)	Number of Impound Days for Animals Impounded at Facility_____	19,783
10)	Number of Domestic Animals Euthanized from Jurisdiction_____	5
11)	Number of Wild Animals Euthanized from Jurisdiction_____	0
12)	Number of Owner Requested Euthanasia from Jurisdiction_____	3



NOCO HUMANE

Animal Control and Sheltering Services Quarterly Jurisdictional Report

Jurisdiction: Wellington

Reporting period: 07/01/2025-09/30/2025

Field Services Report

(* totals are counts of original service calls w/o follow-up)

1)	Total Number of Field Service activities: calls and follow-up	357
2)	Number of Calls for Service *	225
a)	Average Response time to Priority Calls	41 min
b)	Average Response Time to Non-Priority Calls	1 h 19 min
3)	Number of Emergency/Afterhours Calls*	7
a)	Total Working Time for Emergency/Afterhours Calls	1 h 26 min
4)	Number of Dead Animals Removed from Jurisdiction roads/public areas	2
a)	Dead Domestic Animals	0
b)	Dead Wild Animals	2
5)	Number Calls for Sick/Injured Wildlife*	2
6)	Number of Calls for Stray Livestock*	1
7)	Number of Reported Animal Bites*	16
a)	Animal Bite Follow-up	31
8)	Number of Disturbance Calls*	11
a)	Disturbance Follow-up	19
9)	Number of Animal Welfare Calls*	8
a)	Animal Welfare Follow-up	27
10)	Number of Stray Animal Calls*	153
a)	At-Large*	11
b)	Aggressive*	1
c)	In-Custody*	15

Warnings/Citations/Violations

See Attached Warning/Citation Report

LARIMER HUMANE SOCIETY SHELTER

3501 E 71ST ST
LOVELAND, CO 80538
(970) 226-3647



Violations by Jurisdiction(s)

Between 07/01/2025 and 09/30/2025

WELLINGTON

CITATION	4
<u>Offenses:</u>	<u>7</u>
AT LARGE	3
DISTURBANCE	1
LIC REQ	1
PUBLIC NUIS	2
WARNING	11
<u>Offenses:</u>	<u>17</u>
AT LARGE	4
DISTURBANCE	6
IMPROPER CARE	1
LIC REQ	1
LIC VIOL	1
PUBLIC NUIS	1
RABIES REQ	2
WASTE REMOVAL	1